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THE

NORTH AMERICAN REVIEW.

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vol 139

EDITED BY ALLEN THORNDIKE RICE.

VOL. CXXXIX.

Tros Tyriusque mihi nullo discrimine agetur.

NEW YORK:
No. 30 LAFAYETTE PLACE.
1884.

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1884.

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NORTH AMERICAN REVIEW.

JULY, 1884.

No. 332.

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360.483
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ART.		PAGE
I.	JURIES AND JURYMEN. By Judge ROBERT C. PITMAN.	1
II.	AMERICAN ECONOMICS. By Prof. VAN BUREN DENSLOW.	12
II.	MARRIAGE AND DIVORCE. By Justice NOAH DAVIS.	30
V.	THE ANNEXATION OF CANADA. By P. BENDER, M. D.	42
V.	GOVERNMENT TELEGRAPHY. By Prof. D. McG. MEANS.	51
VI.	PRIVATE VENGEANCE. By CHARLES T. CONGDON.	67
II.	THE FUTURE OF THE NEGRO. By Prof. CHARLES A. GARDINER; JOHN T. MORGAN, United States Senator; FREDERICK DOUGLASS; Z. B. VANCE, United States Senator; JOEL CHANDLER HARRIS; Prof. RICHARD T. GREENER; OLIVER JOHNSON; S. C. ARMSTRONG, Principal of Hampton Normal and Agricultural Institute; J. H. WALWORTH; J. A. EMERSON.	78

NORTH AMERICAN REVIEW.

No. CCCXXXII.

JULY, 1884.

JURIES AND JURYMEN.

"When the English adopted trial by jury they were a semi-barbarous people; they have since become one of the most enlightened nations of the earth, and their attachment to this institution seems to have increased with their increasing cultivation; . . . . many of its offspring have founded powerful republics; but everywhere they have boasted of the privilege of trial by jury."

THUS wrote De Tocqueville, fifty years ago. I do not believe the weight of opinion of the Anglo-Saxon race has shifted since. But murmurs against this time-honored institution are, no doubt, more frequently heard of late years than formerly. And they come not merely from disappointed litigants, but from intelligent journalists, whose quick eyes take in, as at a single glance, all the anomalous verdicts of the day; from doctrinaires, who look at all questions from their theoretical side alone; and from men of large business interests, who view with misgiving some of the men in the jury-box who are to pass upon their rights. No Anglo-Saxon institution is doomed, however, by a mere consideration of its imperfections. It is the genius of our race to look before and after, and to see what are the perils and inconveniences of the new before it displaces the old.

But, before considering the comparative merits of trial by judges or by jury, viewed as a question simply of the adminis-

tration of justice, every statesman-like mind will recognize the educational influence of the jury system. It is by no accident that this system has been associated with free institutions. And although we may not go as far as De Tocqueville when he says that "the practical intelligence and political good sense of the Americans are mainly attributable to the long use which they have made of the jury in civil causes"; yet we shall agree with him that "it teaches men to practice equity; every man learns to judge his neighbor as he would himself be judged; . . . . and this is the soundest preparation for free institutions."

Addressing ourselves now more particularly to the comparative value of this system as a means of determining legal controversies, we are impressed with the fact that the common law itself has grown up alongside of, and has been established in its principles with a reference to, the trial by jury; so that the latter has become a congruous part of the former. Certain elementary rules of law are so closely associated with this system of procedure that change in one would require alteration of the other. Let us take an illustration from the criminal, and also one from the civil law. Conviction of a crime can only be had when the jury are satisfied of the truth of every essential allegation of the Government beyond "a reasonable doubt." Define this term, or leave it as a phrase, the meaning of which is better felt than explained; in either case one sees that the reasonable doubt of twelve jurors is a different thing from the reasonable doubt of a judge. Where there is a strong trend of opinion in a jury toward the guilt of a defendant, each man's conviction naturally strengthens that of his fellow, and makes a doubt seem unreasonable which might seem otherwise, if there was no comparison of opinion. So, too, the reasonable doubt of a judicial temperament trained to an appreciation of all the possible aspects of evidence, and with a morbid sense of responsibility,—causing even resolution to be "sicklied o'er with the pale cast of thought,"—is one thing, and the reasonable doubt of a plain man of action, accustomed to decide upon quick impressions, and not upon subtle reasoning, is quite another.

It is one of the familiar principles of the law of negligence that a plaintiff in order to recover must show that he himself exercised due care; and that is defined to be "such care as men of ordinary prudence and capacity would take under like circumstances in the conduct and management of their own affairs."

Is it not clear that a jury composed of men of various ages, temperaments, and habits of life, and largely conversant with the busy activities of the day amid which accidents mostly occur, is better qualified to determine what the average man would do, than a single judge, of sedentary pursuits, of cautious habits of life, accustomed to the exercise of foresight, and with a prevision of accidents? And is it not also clear that twelve men can best eliminate that disturbing element which the psychologist calls "the personal equation?"

One of the serious consequences of compelling the court to try all questions of fact as well as law is the danger of thus impairing the confidence of litigants in its impartiality. All understand that the judge does not make, but declares the law; and so has no room for choice or personal bias. But in deciding facts he must necessarily judge and weigh parties and witnesses; and as the most ignorant think that they can decide readily as to facts while they know nothing of law, they assume to revise the judgment of the court; and what seems to them patent error they are apt to attribute to latent prejudice. Another serious objection to the proposed change would be the additional labor imposed on the judiciary. And it is important to observe, that it is not simply the amount of added labor that is to be taken into account, but the kind. The investigation of a mass of tangled facts and conflicting testimony is at once more foreign to the mental habits of the judge, more wearisome, and accompanied with less intellectual satisfaction than the solution of questions of law. Besides this, the judge who presides at jury trials must "gird up the loins of his mind" to decide at once the legal questions that arise; and then his duty is done. The responsibility ends there, and if parties are dissatisfied the question goes to a full court of appeals. But as to questions of fact, the decision of a single judge is final; and how oppressive this sense of responsibility sometimes becomes before a decision is reached, only those who have experienced it can estimate.

I advance nothing against the system which allows a choice to parties of their forum. In Massachusetts this works satisfactorily. The cases where neither party asks for a jury are generally either cases mainly of law or trivial in their nature, and though it is work rather to be shunned than sought, by alternations of brief service it is found not to be excessively wearisome.

In Boston about one-fifth of the cases are on the "court list." But if juries are to be retained as a necessary part of the judicial system, may they not be greatly improved? I think so; and I believe that the question as to how this may be done is one of great practical importance.

The theoretical qualifications of jurors in all the States are reasonably high. Thus, in Massachusetts, jurors are to be taken from the voters, and must be "persons of good moral character and of sound judgment"; and to make selection necessary it is provided that the list shall not include "more than one for every sixty inhabitants"; while in New York, the description of the citizen juror is that he should be "of fair character, of approved integrity, of sound judgment, and well informed"; and a slight property qualification is also annexed. But everything depends on the administration of this law; if "the good moral character" is as laxly interpreted as the same phrase practically is in the naturalization proceedings, it affords but little guaranty. The preparation of the jury lists is entrusted to various local tribunals or officers in the different States. It may not be well to interfere with this; but I venture to suggest that for the county courts, where the most important causes are tried, there should be some specially qualified supervising board, who should revise and reduce, and also have power to add to, the local lists. The clerks of the county courts, together with the high sheriffs, where they have not been degraded by political scrambles, might constitute such a board, as their action would be that of conspicuous public officers with a somewhat broad constituency, and, from their connection with the business of the courts, having a natural pride in the character of juries and a sort of responsibility to the judges under whose immediate eye their work would come.

The present selection of jurors is often heedless; sometimes even worse. Thus I have known men put on the lists who were unable to write, who so far from being of "sound judgment" were "feeble-minded," who were of intemperate habits, who were habitual violators of the law, and who had even been sentenced to the House of Correction for grave offenses. Such exceptional cases, of course, give no idea of the general composition of juries; nor when such men are on the juries, do they, in civil causes, where their lower passions and prejudices are not aroused, cause the mischief which might be anticipated, as

they are apt to be controlled by the stronger and better minds of their fellows. On the civil side the community suffers more from the low average which often fills the jury-box. While any attempt to give this popular institution an aristocratic cast ought to be resisted, yet, on the other hand, to be a truly representative body, the business and educated classes ought to share in it. The trouble is that such men are too largely out of the jury-box by their own procurement.

I have taken some pains to analyze the composition of juries in the city of Boston, because it is not unreasonable to suppose that they will compare well with those of any of the large cities of our country. And in the city of Boston there has been a perceptible improvement since the preparation of the lists has been taken from the City Council — where an Irish politician once succeeded in adding at one stroke four hundred of his clansmen — and committed to the Board of Registration of Voters. The Superior Court has exclusive jurisdiction of the great bulk of jury trials; and taking at random the list of jurors returned to serve at one of its late sessions, I find the aggregate number to be forty-seven. Of these, five are described as clerks (a *nomen generalissimum*, and vague enough to cover various capacities), three as grocers, two as in the liquor business, two as teamsters, two as unknown, one each as of the following occupations: agent, collector, commission merchant, compiler, constable, contractor, employment agent, engineer, hotel keeper, real estate agent, and superintendent; while the different branches of mechanical industry are represented by one blacksmith, bleacher, book-binder, box-maker, carpenter, gold-plater, laborer, molder, painter, paver, printer, stove-mounter, tailor, and upholsterer; and the traders have one dealer in each of the following: cigars, flowers, glass, pictures, produce, provisions, soda, and stoves. I give these details that we may have a more realistic impression of the actual jury. But in order to be sure that our facts are numerous enough to support our inductions, I have taken the pains to analyze six recent lists of jurors in Boston, returned to serve at terms of the Superior Court with the following classified results. The whole number aggregate 212. The few occupations highest in numbers are these: clerks 75, grocers 11, liquors 9, carpenters 7. All classes of traders are represented by 71, or about 34 per cent. of the whole; all classes of mechanics by 60, or about 28 per cent. There were

a great variety of clerical and miscellaneous occupations, but only two are described as merchants, two as commission merchants, three as brokers, four as real estate dealers, and one as lumber dealer and bank president (who, I remember, immediately claimed exemption as being over age). The professional classes are represented by a solitary physician. There is, in fact, no substantial representation either of the mercantile, banking, insurance, railroad, commercial, or large manufacturing interests of the city, and hardly a trace of the liberally educated class.

I have made no such study of the jury lists of other counties as of Suffolk. But the reader may be interested to see the result of an inquiry as to the jurors at the last term of court in the county of Bristol. There were nine farmers, two machinists, two manufacturers, two carpenters, two traders, and one each of other occupations as follows: Blacksmith, builder, butcher, capitalist, carriage-maker, jeweler, marble-worker, mechanic, merchant, nailer, saloon-keeper, shoe-maker. Bristol is partly an agricultural county, and we see its farming interests adequately represented; but it contains the three cities of Fall River, New Bedford, and Taunton, in which are seventy per cent. of the whole population; and these cities have large and diversified manufacturing and commercial pursuits, yet how feebly are they represented. Everywhere it seems to be assumed that men of active business are to be excused from jury duty, while they are the very ones who are not only the most apt to complain of the quality of the jury, but who have the largest interests to protect, and are most affected by unwise verdicts, which tend to unsettle the law as a practical guide.

There are many cases on trial which call to mind the remark of Fitz-James Stephen in regard to English juries:

> "The position in life and mode of selection of the jurymen certainly present a striking contrast to the character of the duties expected of them."

England, however, makes provision for special juries in particular cases. Mr. Forsyth says:

> "It may well be doubted whether Lord Mansfield would have been able to elaborate the noble system of mercantile law which has immortalized his name without the assistance of juries of merchants."

But in Massachusetts, and in many other of the States, there is no provision for what are called "struck juries," as there is in

England and in New York. The Code of the latter State provides that whenever it appears to the court that an impartial trial cannot otherwise be had, or "that the importance or intricacy of the case requires such a jury," it shall be ordered; and in such case the clerk selects forty-eight jurors from the whole jury list whom he deems best qualified, and therefrom the counsel of each party alternately strike out one till twenty-four are left; and from these the jury of twelve are selected and impaneled in the usual way. I doubt whether this is as wise or as consonant with the spirit of our institutions as it is to furnish to all litigants the best practicable juries, and to have them trained to act together in the course of common service. Such juries would not fail as a body to give due weight to the special knowledge of any of their members. It is apparent, however, that something ought to be done to secure in our larger cities a due proportion of jurors conversant with the important and complex questions growing out of modern business life.

It is a current notion that the reason why so few first-class business men are found upon our juries is that they are excused by the courts. The returns we have given show that such men rarely get upon the jury lists. In the exceptional cases where such men are returned to serve, it is no doubt one of the most important duties of a judge to brace himself up against yielding to any but the best of excuses. Boards of trade would do well not only to inculcate it as a point of honor that none of their members should seek to shirk this grave public duty, but also to see to it that their class be properly represented. And here let me add that the general hardship of jury duty is overestimated. I have repeatedly had business men at the end of a term confess to me not only the satisfaction they have felt in performing this function, and the interest they have felt in their work, but their surprise that it was so little onerous.

Connected with the elevation of the character of the jury is the question of their better treatment. The two reforms go hand in hand. It is no doubt essential to preserve the strict control of the presiding judge over the conduct of the jury; but it is now the aim of thoughtful judges to exercise this control with the utmost courtesy that circumstances allow. The jurors are, in truth, a part of the Court, sitting under the same solemn obligation, and engaged in the same serious duty. Respect from others tends to increase their self-respect. I cannot but feel that the more they are treated as gentlemen, the better will they

respond to the call upon them to act as such. I particularly object to the uncomfortable and unsanitary arrangements of most of our jury-rooms. This constitutes to many persons of delicate health or refined tastes the most serious objection to jury service; while to those in good health, and who are less fastidious, it is still an annoying discomfort, which disturbs the considerate and calm judgment so important in reaching impartial and accurate verdicts. In this suggestion of better accommodations for jurors, I am sure that I shall carry the assent of all reasonable men.

I cannot expect the same concurrence in my next suggestion, which is that in civil causes the presiding judge shall be permitted, in his discretion, to allow a jury to separate at night during their deliberations, and resume the case the next morning. The practice of the law begets conservative tendencies, and I fear the weight of opinion of the bar and bench may be against this innovation. I feel satisfied, however, that the change would be productive only of good results; and it is surely in the same direction as changes already made. Notwithstanding all just criticisms upon the composition of juries, I have no doubt that in the main they have improved in manliness and integrity with the general elevation of public morals; and that wise policy and the interests of justice require for them different treatment from that which jurors received in the olden time, when they were kept without fire or food till they agreed, or the judge relented; and were liable, if they did not seasonably agree, to be carted from town to town as the Court traveled the circuit. So till a modern date the jury were not allowed to separate during any part of the time of a criminal trial, even in cases of misdemeanor simply. Gradually the rule was relaxed as to these, then even in felonies, but continued as to capital cases. New York has parted with this relic of an old civilization, while it still exists in many of the States.*

In the case cited these remarks of the Court have a pertinent application to the general question:

"There were reasons for these rules at an early day which do not now exist. The jury were then comparatively ignorant, subject to the control of their superiors, and easily led astray. They had but faint notions of popular rights, and submitted to restrictions which would not now be tolerated. Trials were brief, seldom occupying an entire day."

* See Stephen *vs.* People, 19 N. Y. 550.

The only objection that can be made against this indulgence to the jury in civil causes while considering their verdict is the supposed danger of approach in some way by interested parties. This danger can be but slight. To the credit of human nature, as well as to the credit of human sagacity, attempts to influence jurors are of the rarest occurrence. To be successful there must be concurrent depravity in two persons; and while failure is ignominious and dangerous, success is hardly less so. The summary power of courts to punish, as for a contempt, the slightest interference with a jury, induces a wholesome fear of such action. Besides, if it is contemplated, there are ample opportunities for it during the progress of the trial when juries are always allowed to go home at the adjournment, instead of postponing the attempt until it may chance to be too late. To be consistent, we should go back to the old rule in criminal causes, and keep the jury under constant surveillance from first to last. The advantages of such a change of practice are obvious. A great part of the discomfort of jury service is removed, and men whose business or family cares press so heavily on them when they are not sure of an hour in the twenty-four at home, would find it quite possible to serve with equal mind if the public would leave to them the usual rest from labor. But the main argument for the change is that in this way a result is reached not by the pressure of any physical discomfort, nor by anxieties for others, but as the result of calm deliberation. And if a night could be spent away from the heated disputation of the jury-room, it would not infrequently happen that a dissentient juror would, as the result, perhaps, of what Dr. Carpenter calls "unconscious cerebration," see things in a clearer light on the morrow.

The rule requiring unanimity in a jury, so far as it applies to civil cases, has long been disapproved by very eminent authorities. Bentham, with a coarse vigor of expression outrunning the truth, describes it as a system of "perjury enforced by torture." Forsyth more mildly says: "A more lax view of the individual obligation of each is adopted on account of the mischief which results from a final disagreement"; while Hallam bluntly calls it "that preposterous relic of barbarism." It is more to the purpose to notice the conclusion and the reasoning of that body of experts appointed by the English Parliament on the Courts of Common Law in 1830. They say: "It seems absurd that the rights of a party in questions of a doubtful and complicated

nature should depend upon his being able to satisfy twelve persons that one particular state of facts is the true one." And they propose that after twelve hours the opinion of nine shall authorize a verdict. Lord Campbell many years after introduced a bill to carry such a measure into effect. But hitherto all efforts at disturbing the rule have failed.

Professor Robertson, in the ninth edition of the "Encyclopedia Britannica," while indorsing the theoretical views to which we have alluded, suggests the reason of the failure of all projects for change in England:

> "We rarely hear of juries disagreeing or of jurors agreeing under compulsion. When civil juries were established in Scotland, this was one of the arguments used against the experiment; but it has been stated by the judge under whom the system was started, that he only knew of one instance of disagreement during a period of twenty years. English experience is much the same, and a reform which twenty or thirty years ago was pronounced absolutely necessary by conservative jurists is now hardly ever heard of."

I do not know how accurately he has stated the fact as to England, but I am sure that in America disagreements are far more frequent. Combining my own experience with information from others, I should say that in Massachusetts the average number of disagreements would be about five per cent. of the whole number of cases tried. It is also well to remember that the cases in which juries disagree are apt to be those of most importance and of the longest duration.

It were an interesting speculation to seek the causes of this difference in the frequency of disagreements in England and in America. Both Prof. Robertson and Mr. Forsyth lay great stress upon the influence of the judge in his charge toward the determination of the verdict. The latter says: "The presiding judge has, by the tendency and bias of the remarks which he makes in summing up, the means of influencing and guiding them to a right result; and they have generally the good sense to avail themselves of all the help afforded by his perspicuity." Although the practice may differ somewhat in the different States of our Union, and some allowance must always be made for personal idiosyncrasy, it is safe to assert that the American trend has been toward a more complete separation of the functions of court and jury, and several of the States have enforced this by special statutes. In Massachusetts, for instance, it is provided that "the courts shall not charge juries with respect to matters of

fact." Throughout the United States it would be an unusual and an uncomplimentary description of a charge from the bench to say that its "bias" helped to guide the jury to a right result. I am by no means sure that we have the better practice, tested by its utility; but we are not likely soon to change it.

Meantime, disagreements of juries go on with loss to the pockets and peace of mind of litigants and with cost to the public in expense and time. If it could be assumed that the dissentient jurors were fairer or wiser than the majority, we could tolerate it well; but, unfortunately, the alliance between ignorance and obstinacy, well known of old, continues to the present day.

There are, no doubt, exceptional cases where the majority may be carried away by popular prejudice or personal sympathy, and to meet such cases the concurrence of the presiding judge might be required in order to make valid a majority verdict. I am fully aware that such a change in jury trial as to dispense with unanimity would require some constitutional changes as well as legislation. No one proposes to disturb the present rule in criminal cases, because it well consists with the great principle that no one is to be convicted while there remains a reasonable doubt of his guilt. But in civil cases, where a preponderance of evidence alone is required, it would seem that, sooner or later, the practical American mind would conclude that when this preponderance was made out to the satisfaction of at least three-fourths of the jury and of the court, it was time to make an end of the litigation, especially when we consider that this state of things would almost certainly foreshadow the ultimate result, the present acceptance of which would merely avoid one of those calamitous delays of the law which have tired out sturdier natures than that of Hamlet.

ROBERT C. PITMAN.

AMERICAN ECONOMICS.

A RADICAL revulsion has occurred in economic discussion in England within twenty-five years. Professor Bonamy Price of the University of Oxford, Professors Fawcett, Henry Dunning MacLeod, Henry Sidgwick, and Leslie Stephen of Cambridge, and W. Stanley Jevons and Professor Cairnes of University College, London, represent fairly the existing condition of political economy in England. While each of these discards different portions of what was once considered orthodox economics, all except Fawcett discard so much that the science is seen to be rent with ghastly fissures, and everywhere the thinness of the crust warns us that the work of creation is still going on. To change the metaphor: what were once supposed to be almost perfected fruits, which needed only the warm sun of public favor and general assent to ripen their juices to sweetness, are now found to be mere puff-balls filled with acrid dust. The works of Malthus, Ricardo, and Mill, now considered as repositories of curious errors, rank with Ptolemy's "Almagest," or Spurzheim's "Phrenology." They are read not so much because they teach us truth, as because they stand as mile-posts which serve to measure the distance by which thought has passed them.

When we now try to place ourselves *en rapport* with Malthus, the disproof of his main proposition is so obvious that the only inquiry we are disposed to make is, whether his idea that man's consuming powers increased faster than his producing powers was suggested by the unusual largeness of his own family, or by the local phenomenon of emigration from England, which was then beginning; or whether he really thought that nature was in some way the provider of a food fund which would not bear a constant ratio to the labor employed. The idea that the food of the human race tends to increase in an arithmetical ratio, or

as 2-3-4-5-6, while the race itself tends to increase in a geometrical ratio, or as 2-4-8-16-32-64, has so specious an appearance of definiteness that, in all the bulky volumes written in support of the theory, never has the actual fecundity of a human couple been compared with that of a grain of wheat, a potato, a couple of swine, or a pair of beeves. Mr. Fawcett, quoting from Darwin, barely escapes impaling himself on an ugly horn by taking, as a term of comparison, elephants, which are not human food. Of these he says one pair would, in five centuries, produce fifteen millions, each pair producing only three pairs of young in ninety years. If the progeny of a pair of beeves had been made the basis of the calculation, how would it have been possible to escape from the resulting inference of cheap beef?

In our colonial period one woman has produced as many as twenty-five children, and Adam Smith speaks of persons in America who would live to be surrounded by more than a hundred lineal descendants. This would show a maximum reproductive capacity in the human couple of thirty-three per cent. per annum, or fifteen per cent. to the unit of population. The highest actual increase in the United States is, with immigration, three per cent., and without immigration, two and a half per cent. per annum.

Compare with this wheat, which has but a small fraction of the fecundity of maize or potatoes. American wheat-growers sow 80,000,000 bushels of seed annually to produce 500,000,000 bushels of wheat, being only six-fold; but this is two hundred times the actual, and forty times the highest hypothetical increase possible to the unit of population. Major Hallett, of Brighton, England, in 1857–61, by planting wheat in rows a foot apart, and selecting best grains from best ears, and best ears from most abundant stools, attained the following result, beginning with best grains selected from best ears, four and three-eighths inches long and containing forty-seven grains per ear, which he found in a common field.

Year.	*Ears selected.*	*Height, inches.*	*Containing Grains.*	*No. of ears on finest stool.*
1858	Finest ears	$61/4$	79	10
1859	"	$73/4$	91	22
1860	Ears imperfect from wet season.	..	..	39
1861	Finest ears	$83/4$	123	52

In an ordinary wheat-field, thickly sown, only one and a half ears grow from one stool. Here is an increase in fecundity from one ear having forty-seven grains (forty-seven fold) to fifty-two ears, carrying (in the best ear) 123 grains, or 6396-fold per annum. Such a hypothetical rate of increase would produce in the second year, from a grain of wheat, 40,908,816 grains, or seventy bushels, supposing the grains to retain only their previous size under improved planting. In fact, however, Major Hallett's processes very largely increased the size of the grain, causing 460,000 grains to make a bushel, instead of 700,000. Adding this quality, the possible productive power of a grain of wheat in two years would be about 130 bushels. Yet Bonamy Price, of Oxford, says*: "What is the essence of this (the Malthusian) theory but the well-known fact that human beings, like all other animals, have a power of multiplying faster than their food." Apply to this statement the fact that in the earlier periods animals constituted almost the whole of human food, and man, as often as he could be killed, became the food of animals; and so this "well-known fact" becomes a statement of three independent laws in economics, viz.:

1. When man eats an animal, that proves that man multiplies faster than animals.

2. When an animal eats man, that proves that animals multiply faster than men.

3. So, between man and animals, each multiplies faster than the other.

Henry C. Carey opened fire on the Malthus assumption, in 1835† to 1838,‡ by asserting that the lower the organization, whether vegetable, animal, or social, the greater the rapidity, certainty, frequency, and fecundity of its power of reproduction, and the greater the ease and economy with which it sustains itself; that in the infancy of society the production of wealth by man is kept down to a degree little above the nakedness of beasts by the constant state of war and insecurity prevailing, the absence of implements and of knowledge of every kind, and especially by that absence of money which leaves slavery the only possible basis of association among men. He did not make the direct comparison above made between the relative fecundity

* "Practical Political Economy," p. 14.

† "Essay on Wages," 1835.

‡ "Principles of Political Economy," 3 vols.

of the unit of population and the unit of subsistence. Nor had he yet reached the conclusion that man, instead of beginning cultivation on best soils, begins on worst soils; but as to every other implement than the soil, he already taught the doctrine of evolution from the lower to the higher and from the less to the more productive. It would have negatived the very law of which he was the discoverer if he had used the best arguments first; but he did enough to break the back of the Malthusian theory. He taught then * that, as machinery takes the place of muscle, as iron and steel supersede flint, as coal displaces wood, as steam supersedes sails where sails have displaced canoes, as skins give way before cloths and hand-looms before the power-loom, and as new soils, new implements, and new sciences become available, the means of industriously employing all men's time increases, the product derived from industry increases in a far more rapid ratio than the number employed, and the portion of the product of industry which is awarded to labor increases relatively to the portion won by capital, and man becomes free. This growth of man in freedom was his theme. He supplied Bastiat with all the materials of his "Harmonies Économiques," except that pleasing style which is more apt to belong to the borrower than to the inventor. Carey was inductive, Bastiat seductive. Carey was abstract, looking for the law; Bastiat was concrete, looking for the fee. Carey was profound and original, but discursive; he was a traveler with a long stride, who had the devil's own habit of constantly taking you up to the pinnacle of the temple or the top of a high mountain, and there showing you all the kingdoms of earth, as illustrations of his law. Bastiat remained at home, exhibiting to his guests the trophies collected by Carey in his travels; and what Carey had proved by elaborate tables and citations, Bastiat illustrated with anecdote and with all the arts of a consummate wit. In the degree that a man sought to be amused, he would throw up his hat for Bastiat. Hence Bastiat got all the headless hats.

Carey treated political economy not only inductively, but as a science which sought to measure forces and not quantities; the growth of the power of man over things, not the science of the things that burden or condition man. His definitions, there-

* "Principles of Political Economy," 1837–40, vol. 2, p. 251.

fore, are all dynamic, not static; they are laws of motion, not equations between commodities. He expects Burnam Wood to come to Dunsinane, because every tree hides a man. He expects mountains to be removed and cast into the sea, because, where mind is, nothing is inert; all lives.

Sir John Herschel, reviewing "Quetelet on Probabilities," remarked that, "one great source of error and mistake in political economy consists in regarding its problems as statical rather than dynamical in their character." The statement happily illustrates Sir Henry Bessemer's observation,* that while men versed in an art make the trifling ameliorations in its processes, the great discoveries and inventions more frequently come from persons wholly untrammeled by accurate knowledge of the details. Prof. Henry Dunning MacLeod declares† that in these words Herschel "has exactly described the fundamental defect of the whole Ricardo-Mill system of political economy. . . . Ricardo treats it statically, but Condillac treats it dynamically. . . . No one versed in Natural Philosophy can have a moment's doubt that it (the dynamic system) is the true one." To treat political economy dynamically detracts from its simplicity; for it is the pursuit of varying ratios between perpetually varying forces, always in motion, but with varying degrees of intensity, where the standards of measurement vary almost as rapidly as the ratios. Carey was the first among economists to make use of statical charts to represent the effect of government policies upon all the phases of a nation's progress. These ought, however, to be called dynamic charts; for while each dot in the chart represents the relative status or condition of a given datum in the problem, the movement of the whole line becomes dynamic and measures the force operating. A single chapter in one of his works‡ uses forty-six of these static charts to show by comparison to the eye the relation between the four tariff acts of 1828, '33, '42, and '46, and the attendant increase or decrease in production or circulation of forty-six distinct commodities or modes of service, including points of observation as far apart as the growth of lake tonnage, the consumption of iron and woolens, and the use of all the leading necessaries of life, all so arranged as to show that the purchasing power of labor and the freedom

* "Creators of the Age of Steel," by W. T. Jeans, p. 34.
† "Principles of Economical Philosophy," vol. 1, p. 359.
‡ "The Harmony of Interests," 1852, C. 3.

of man, as forces, are intensified with the increase in the societary movement induced by protection, and are relaxed by its withdrawal. As the water that turns the wheel, the wheel itself, and the spirit in the dynamometer which measures the force are all variable forces, and yet the measurement is perfect, so by charts which represent social effects, in connection with their causes, can the exact dynamic vigor of certain policies be measured in their action on society.

Jevons,* alone among Englishmen, in a feeble manner and far to the rearward, attempts to follow Carey in the use of diagrams to represent the relation between economic causes and effects; but the effect he is aiming to illustrate attaches to the metaphysical stage of economics, being merely a statement of the decline in value to a producer of what he produces in excess of his own wants. The metaphysical character of nearly all English political economy since Adam Smith, especially the works of Ricardo, Mill, Senior, Price, Moffat,† and Jevons, consigns them inexorably to that second and transitional stage of thought which marks, says Comte, the passage of society from the military and theological to the industrial and scientific stage, and which proves by its very form that something better in the way of positive science must follow it. They affect to triumph when they analyze metaphysically the emotions which induce trade, as *e. g.* by arguing that because each party to a trade experiences a separate satisfaction, foreign trade should not be restricted. As well argue that because in a war each party fights until he gets all the fighting he wants, therefore there is only beneficence in war.

Carey antagonizes the English school, which was regnant in 1845, but defunct by 1875, in three ways. It was deductive; he is inductive. It was metaphysical; he is historical. It was statical, and studied the individual unit of society as conditioned by the environing circumstances; he studies the dynamic movement of society as a whole, looking upon man as largely the creator of all his conditions. Bastiat in France, Ferrara in Italy, Dühring of the University of Berlin, comprehended him. The omnivorous Roscher runs over Carey like an industrious ant over the pyramid of Gizeh, carefully noting all exterior ine-

* "Theory of Political Economy," by W. S. Jevons, p. 33.

† "The Economy of Consumption," by Robt. Scott Moffat.

qualities, but mutely powerless to comprehend any one sublime meaning. He cites without disputing Carey's definition of utility as the measure of man's power over nature, and of value as the measure of nature's power over man. He then adds* that Carey very inaccurately views them both as being always in opposite directions. If he had got any correct sense out of the definition, he could no more have said this than he could have branded as inaccurate a statement that attraction and radiation are in opposite directions. When Roscher begins to define value he shows that his stand-point is at once statical, metaphysical, and subjective, by preceding it with the words, "looked at from the point of view of the person who wishes to employ them (goods) either for use or in exchange." Nor does he ever get away from this individual point of view.

Carey, however, being a philosopher of society, in search of laws that measure and forces that govern the aggregate societary movement, and not a mere recorder of the moods and tenses of persons, considers the onward march of the social mass, the flowing river of mankind, and perceives that to the savage nothing has utility. The forests are useless, for he cannot fell or hew the trees for want of the axe, saw, chisel, and auger. Iron is useless, for he cannot distinguish it from the red clay. Glass does not exist. The beasts are all armed, while he is not. Even the mountain goat and the ram master him, and the wild boar is a terror. The apple is not yet a fruit, the potato is poison, maize is an unnoticed weed. Wheat is little more than a grass; but if it were equal to modern wheat, it would still be useless, as he would not know how to grind or cook it. All things are so void of utility that only among the date groves and naturally fruited but torrid plains of Africa could he survive long enough to learn the utilities of anything. But in this wretched nomad state, how are all values magnified! A bead or an inch of cloth is worn around his neck as a charm to keep away evil spirits. A master who will furnish him with daily bread would be hailed with the gratitude due to a descended god. He feels the value even of slavery, and kisses the figurative chains which a later epoch will see upon his limbs. Then begins his slow upward march. With each day he learns some new utility in metal, plant, flower, fruit, and animal. A million things become useful, which either did not exist or were useless.

* "Political Economy," translated by Lawler, vol. 1, p. 62.

After many generations his successor will, perchance, buy a palace with less toil than he would have expended for a bead. In no instance do values increase or utilities lessen with the advance of man toward a higher civilization. The supposed exceptions referred to by Roscher are doubtless those of works of art and *vertu*, cited by Adam Smith, whose fame keeps on growing, as in the case of Angelo's, Raphael's, or Correggio's productions, long after the artist who supplied them is deceased. Even in these cases there is perfect conformity to the inverse form of Carey's law, viz., that as human progress declines and man relapses toward barbarism in some single art, values increase and utilities decline in that art. In the case of these works of art it may be said that, while civilization in many things has advanced, yet in the particular line of creative art, to which these belong, civilization in its pre-occupation with other things has declined, and, simultaneously, the utility of these things has lessened *pari passu* with their increase in value; for, though higher prices are paid, the ratio in which they are useful has declined with the decline of the art which produced them. Compare the decline in value with the increase in utility of the transportation of a representative of savage life and of civilized life from, say, Niagara to the Pacific coast. Black-Hawk would have regarded the journey from Niagara to the Pacific as involving a year's toil and danger, with an even probability that he would lose his life. In cost or value it would be prodigious. In utility it would be *nil*, as he could do no more on the Pacific coast than he could have done at Niagara, viz., hunt, fish, and fight. Vanderbilt, however, could ride through in five days, and a palace car and free transportation would gladly be tendered him, since it would be known that, but for some purpose of large utility, such as the establishment of a new line of Pacific steamers, or the building or purchase of a new railway, he would not make the journey. The cost (value) sinks to the minimum, while the utility rises to the maximum.

Carey's definition of Commerce as the exchange of products between producers, and of Trade as the intermediate agency of the middlemen and transporters, by which this exchange is effected, so that as Commerce increases Trade declines, and as Trade increases Commerce declines,* thus making Trade and Transportation taxes upon Commerce, instead of being Com-

* "Manual of Social Science," condensed by McKean.

merce itself, as they are usually assumed to be, is too bitter a pill for strict free-traders to swallow. Conceiving themselves to be the enemies of all taxes, they cannot endure a definition which converts trade itself into the severest of all taxes.

So Carey's definition of wealth,* as "the power to command the always gratuitous services of the great forces of nature," might as well have been uttered in Greek to a Modoc, as in these terms to a modern Englishman of the metaphysical school. "Ah," he exclaims, "wealth is the means of buying only what comes gratis, is it? Then, for the first time in my life, I don't want it!" Perry† gives us wealth as an indefinable term. True, it is the subject of Political Economy, but no fellow can find out what it means; or whether it is a commodity, and so belonging to the domain of physics; or a mental condition, and so belonging to metaphysics;‡ or a quality of one thing which is a subjective conception of the mind, or a ratio between two things,§ which is an equation in mathematics. Carey's peculiarity of definition comes from the fact that he is defining wealth in the function it performs toward society. Confessedly coal, iron, wood, wheat, and animal life, and whatever else we enjoy, come to society at large as the gratuitous gifts of nature. To the individual who enjoys them, the properties which he enjoys, such as the heat-giving property in coal, the hardness and firmness of iron, the constructibility of wood, the nutrition in wheat and the life-sustaining powers of animal food are all gratis from nature. Man makes no property of matter or force which we enjoy. But nature having affixed impassable limits to each man's power to consume, and not having presented to any man all he needs to consume, the surplus of one man must be forwarded to supply the deficiency of another; and every article takes on value in a fluctuating degree, varying with every moment of time and every league of space by which it is forwarded from the point where it is in surplus to the point where it is in demand, if it requires merely change of place to adapt it to demand; and varying with every process in the change of form, if it requires change of form, and with every change of ownership, if that be what it needs, and with every combination of these three changes, if it needs

* "The Unity of Law," p. 6.
† "Political Economy," preface 8.
‡ Price, "Practical Political Economy," 361.
§ MacLeod, "Political Phil."

them all to bring it to the consumer in a form fit for his use. Wealth, therefore, is that power in me, howsoever and wherever obtained, which gives me command, through the services of my fellow-men, of all these gifts or services which nature brought gratuitously to some member of society, but only through his toil and that of others to me. Exchangeability does not constitute it, for many of the highest elements of wealth, such as intellectual and social power, character, religious belief and influence, courage, sagacity, rank, titles, fame, are not exchangeable, yet give great power over the services of others. Moreover, in a complete slave system or in a complete military, feudal, or communal system, there might conceivably be great wealth in the hands of those who controlled the system, and yet no exchanges whatever; and in the estimation of some dreamers, like Fourier, sustained in part, however, by the communal system in vogue in the petty states of Greece, there might even be very little private property. Subordination and coercion would perform the functions which in a trading system are performed by exchange. Carey, therefore, in defining wealth, points out as clearly as language will permit the element in it which is eternal. MacLeod, Bastiat, and Perry, in seizing upon exchangeability, grasp that which is both partial and evanescent.

In Political Economy, when pursued deductively, the definitions are pregnant with all the ultimate theories and conclusions. One who defines Political Economy as a Science of Exchanges cannot but reach opposite conclusions to those attained by one who defines transportation and trade as taxes upon commerce.

Carey found rent defined as a payment for area of soil, because of its fertility. He left it defined as a payment for space, because of its nearness to the societary movement.*

* In 1836, in a book printed, but never published, entitled "The Harmony of Nature," of which a copy lies before me, Mr. Carey states the true doctrine of rent thus: "These rents diminish in amount as the lots are distant from the center of attraction, the place of exchange. Why should a lot opposite the market sell for fifty times as much as an acre of land distant not one mile from the spot? Why should it sell for ten times as much as another lot of similar dimensions distant not more than three hundred yards? The answer to these questions is, that owing to the great number of people who frequent the market, and the large amount of merchandise brought there to be exchanged for other articles required by the farmer, the amount of business that can be done in the one place is vastly greater than in the other, that

Ricardo, Malthus, and Mill, in defining it as a monopoly price paid for fertility, which was assumed to be the chief natural and indestructible power of the soil, had made it a form of legalized rapine, and thus had laid the foundation for the modern French, German, and American socialists of the school of Karl Marx and Henry George, to preach the new crusade against landlords as the broad macadamized road to happy and cheap homes. Carey identified rent with that principle of human nature which would cause a window on Broadway to rent perchance for $5.00 an hour while a pageant is passing. It is a payment for space, which is competed for actively by reason of its nearness to the societary movement. If poor land has this advantage it will be so tilled as to make it fertile. Rich land, without it, will be drained of its fertility. As MacLeod well says, "the only original and indestructible power the earth has is that of extent." Fertility is as variable a property in soils as health is in man. Soils in England which once produced five bushels of wheat per acre now produce fifty-five. Those in Indiana which once produced thirty bushels now produce seven. Yet a whole generation talked of rent as a payment for fertility, and of fertility as an inherent and indestructible property. Rent is a payment for productive space, as wages is a payment for productive time. Rent is the centrifugal force which disperses men from the centers toward which commerce and exchange attract them. As men go from the centers they save rent but lose and incur transportation. As men draw near the centers they save time and transportation, but increase rent. Rent, therefore, is just as beneficent a force in economics as is wages or commerce, for it is as essential to disperse as to attract mankind. Mill, Sedgwick, and especially MacLeod and Devas,† though reluctantly, recognize Carey as the Hercules who slew the English monopoly doctrine of rent. Francis A. Walker‡ ingeniously avoids giving Carey this credit by so restating the doctrine of Ricardo, that rent rises with the productiveness of the soil, as to incorporate into it the doctrine of

ten times as much may be done as in another place distant three hundred yards, and fifty times as much as in another a mile distant; or, in other words, because a capital so much larger can be used at the same rate of profit as will enable the occupant first, to pay himself for his services, secondly, to pay himself for the capital employed at the usual rate of profit, and, third, to have a surplus for his landlord, termed rent.

† "Groundwork of Economics," § 42. ‡ "Land and its Rent."

Carey, viz., that rent rises with the productiveness of the capital employed in the use of the soil, and makes this productiveness turn upon the nearness of the soil to the markets of consumption of its products, which is part of Carey's definition. This is like incorporating into Judaism all that is Christian and then asking for a verdict as between this reconstructed Judaism and Christianity!

The first work written by Mr. Carey* was an attempt to overthrow the Ricardo theory, that as wages rise profits must fall, and to prove instead that as profits rise wages rise. The previous theory made enterprise depend upon slavery, the true source of the profits of the capitalist being the spoliation of the wages worker. It is singular that the English should not have perceived what a club this error would place in the hands of socialism, with which to beat out the brains of both the economist and the *bourgeoisie*. The peace of society is now endangered in Europe and America by this infamous relic of Ricardo's abnormal and ingenious ignorance. Carey showed that in all nations where profits are high, wages go up, for the enterpriser competes actively for the hire of labor in the degree that he is attracted by the prospect of profits. In a later work† he politely attributed to Cobden the remark that freedom grows where two employers are seeking to profit by the labor of one workman, and that slavery grows where two workmen are seeking bread at the hands of one employer. If Cobden ever said this, which I doubt, as I fail to find it in his speeches, he must have derived it from Carey's previous works, including the "Essay on Wages" and the "Principles."

As respects money, Carey was the first to teach that the chief utility of a coin currency is attained only in the degree that coin becomes the basis of that very credit currency which supersedes the use of coin.‡ The beneficent power of coin, like that of government, would be most felt when it was most invisible. In this general attitude he is followed by the two ablest writers on modern English monetary finance, MacLeod§ and Patterson.‖ Indeed, these two writers most nearly approach Mr. Carey in

* "Essay on the Rate of Wages," 1835.

† "The Slave Trade, Domestic and Foreign," p. 294, 1853.

‡ "Social Science," by McKeon, 293 to 310.

§ "Theory and Practice of Banking," 1855.

‖ "The Science of Finance," by R. H. Patterson, 1867. "The Economy of Capital," 1865.

vigor of economic insight and familiarity with the facts of practical finance. In the quality of philosophic generalization, he stands apart from other economists, like Mt. Blanc from other summits, and his true altitude will be ascertainable only when economics take on the character of a science. At present no two economists in England or America can give the same definition to wealth, value, labor, utility, profit, rent, interest, capital, money, land, production, trade, distribution, exchange, consumption, taxation, banks, credit, currency, commerce, wages, or to Political Economy or Economics itself. The difference is not one of words but of things. Each of these words connotes as many distinct and unlike intellectual conceptions as there are men to use them.

Take the term labor. If a man carries mortar from the street to the roof of a building in a hod, that is labor, if he is free and works for wages. If he brings a horse, rope, and pulley and lifts the mortar by horse-power, charging for the hire of the horse, is his charge profits, interest, or wages? If he is dispensed with, and a machine raises it, then is not capital laboring? and when capital works, why is not interest wages? But if capital can labor, as in machinery it does, then capital is only one among many laborers. And when labor is owned, as in the case of slaves, is it capital or labor? And if labor is capital when it works for a subsistence, wherein is its nature changed when it merely works for wages, which are exhausted in subsisting the laborer? McCulloch says the fermentation of wine or beer is labor.*

Every economic term eludes metaphysical analysis; but so does every scientific term. Matter becomes force, and force becomes matter, under metaphysical analysis, as readily as labor and capital pass into each other. This only proves that the metaphysical method, banished from the other departments of science, and taking refuge in Social Science, must be expelled. But in England the metaphysical method, except in part in the work of Adam Smith, is the only method known. Yet even by this method Social Science discovers that the most valuable thing it knows is that it knows nothing. Its cry is, "Lord, have mercy upon me, a sinner."† Fifty years ago it was

* McCulloch's note 1 to Adam Smith.

† Jevons says: "When at length a true system of Economics comes to be established, it will be seen that that able but wrong-headed man, David Ricardo, shunted the car of economic science on to a wrong line, a line, how-

supposed that the doctrine of *laissez faire*, or that the state should in no way intermeddle to protect the industries in which it was a silent partner, was firmly established. It would not, in 1846, protect Irish grain in English markets against foreign competition, but now it steps in and utterly abrogates freedom of contract by denying to the Irish landlord the power to rent

ever, on which it was further urged toward confusion by his equally able and wrong-headed admirer, John Stuart Mill. . . . It will be a work of labor to pick up the fragments of a shattered science and to start anew, but it is a work from which they must not shrink who wish to see any advance of economic science." "The Theory of Practical Political Economy," Preface 1, vii.

Bonamy Price says: "It is the authority of economical writers which is declining. This diminished weight is the result of their mode of treating the problems of the living world, with which Political Economy deals. Men take a shorter and a far clearer path through their own observations than through the tangled jungle of scientific refinements." "Practical Political Economy," page 7.

Mr. C. S. Devas, an apostle of the Catholic ethics of Sismondi, in a work full of learning and acuteness, says: "It is time that something was done in England either to restore the declining credit of what is known as Political Economy, or to replace that enfeebled body of doctrine by a worthier successor. Our grandfathers exulted in Political Economy as a grand and beneficent science, not the least among the glories of their age; our fathers respected it; and little more than twenty years ago it successfully withstood all the sharpness of Mr. Ruskin's reasoning and raillery. But times have changed. There are men of intelligence who are beginning to suspect that much of this science is but a collection partly of useless discussions and idle declamation, partly of truisms, partly of untruths; while the anarchy among recent economists on the very foundations and first principles of their science, as any one may see in Mr. Dillon's recent work on the *Dismal Science*, is a matter not of suspicion but of certainty." "Groundwork of Economics."

Henry Dunning McLeod, discussing the Ricardo-Mill theory, that labor causes value, says: "Surely we have had enough of this Bedlamite rubbish, and it may be asked why do we load our pages with it? Simply for this reason, that this idiotic stuff is the official Political Economy in England at the present day! This is what the candidates for the civil service of India are told to believe in as the perfection of human wisdom, and which is still taught and recommended in our Universities! *Proh Pudor!*" "Principles Econ. Phil." I., 653.

Even upon the question of Protection, English Political Economy is breaking up. A recent thoughtful and elaborate work ("Economy of Consumption," by Robert Scott Moffat, p. 346) says: "This tendency toward Protection is, as I have said, natural; and it is fully justified by the strictest economical reasoning. The fanatical intolerance with which it is often assailed in this country is the result simply of ignorance and the prejudices bred by self-interest. The aim of the policy is manifestly a legitimate one.

his land where he can rent it dearest. Professor Jevons says: † "I conceive that the state is justified in passing any law, or even in doing any single act which, without ulterior consequences, adds to the sum total of human happiness." Says the Duke of Argyle: ‡ "During the present century two great discoveries have been made in the science of government; the one is the immense advantages of abolishing restrictions upon trade; the other is the absolute necessity of imposing restrictions upon labor." As if labor were not a form of trade, and all trade a species of labor. The Duke of Argyle forgets that the discoveries in government are four, not two. The other two were the discoveries made by mothers, first, that their daughters ought all to be taught to swim; secondly, that they should on no account go near the water. The latter is exactly on a par with the notion that it can be an economic doctrine that the worker in trading in his work, or in that which his work produces, shall not be free; but that the trader, in trading in the product of another's work, shall be free.

It is, however, in the domain of prophecy that the English school is most conspicuous in failure. Said Cobden, at Manchester, on January 15, 1846: "I believe that if you abolish the corn law honestly and adopt Free Trade in its simplicity, there will not be a tariff in Europe that will not be changed in less than five years to follow your example." Concerning agriculture, he audaciously promised that the future historian would

It has already been shown that a home organization is, in the strictest sense, the most economical; and there can be no doubt that, when a new country has raised its manufactures to an equality in efficiency with those of older countries, it will gain greatly by exchanging its agricultural products against its own manufactures instead of sending them abroad. The whole question, then, is one of method; and the arguments which those who call themselves free-traders direct against this form of protection relate exclusively to the process it entails. Now, it is impossible for an unorganized industry, at any point of its progress, to attack an organized one without entailing loss and submitting to temporary disadvantage; and if immediate advantage alone is to be consulted, the industry of such a country must remain forever unorganized."

But one English economic work of recent date has the merit of dealing in facts. This is "Trade Population and Food," by S. Bourne. Though it strives to appear to endorse accepted theories, it radically overturns them. Pp. 248–9.

† "The State in relation to labor," p. 12.

‡ "Reign of Law," p. 334–35.

say that "It was not until the corn law was utterly abolished that agriculture sprang up to the full vigor of existence in England, to become, like her manufactures, unrivaled in the world." Immediately after these utterances, Ireland, which, with all the evils of absentee landlordism upon her, had doubled her population in the twenty-five years between 1785 and 1810, now tumbled in gaunt famine, from 8,000,000 down to 4,500,000 population within ten years. Within twenty years past the number of persons tilling British soil has shrunk from 2,110,454 by 727,270, a loss of one-third in twenty years. Nor did the people get that cheap bread which was the essence of the Cobden promise. The average price of wheat per quarter for the five years preceding 1846 was 54s. 11½d. In 1846 it was 54s. 8d. For the eleven years following 1846 the average price was 55s. 11¼d.* There is no possibility of a cheaper loaf in the later figures. But 1,300,000 acres have gone out of grain and tillage in Ireland, and quite as much has passed from pasture into moor. The whole landlord clan are on their knees to the Government, begging it to buy them out, to save them from bankruptcy. A million acres have gone out of wheat in England.

It has become apparent that the continued maintenance of prosperity consistently with Free Trade involves as its logical means the unflinching march forward in the conquest by British arms of Africa and the entire Mohammedan world and ultimately of China and Japan. This was not the kind of picnic to which Gladstone thought he had invited England, when as a junior member in Peel's cabinet he assisted at the stoning of the corn laws. Aggressive Free Trade has worked all the better soils—Ireland, India, Turkey, Egypt, and Spain—till they resent its spade with famine. The Colonies resist it with Protection. China, India, and Japan resist it with the sullen inertia of numbers. The naked Africans are a barren soil, and the aged Premier shrinks from the career of unending foreign war to which forty years ago he cheerily invited England. During all that period he has been doctoring Ireland on the theory that she was to be let alone as to her industries, but was to be steadily tortured for her lack of industries and the resultant crime and decay.

* "Bradstreet's," April 5, 1884. See, also, "Encyclopedia Britannica," Corn Trade.

Meanwhile the greatest of all works in positive social science is the United States census. Ten years after us Great Britain, and later other nations have followed us in census work. From these various sources it now appears that a full third of all the annual increase in wealth now going on in the world is occurring in the United States.* It is to the American people, therefore, that English, French, and Germans must come for their Political Economy, for the reason that as we are here producing the article of wealth on a far larger scale than it is elsewhere being produced, we are arriving at that economy and wisdom of method which are always proportioned to dimensions in production.

Mr. Carey's nine works and fifty-seven pamphlets, occupying 3000 pages, are the most potential force contributed toward economic science since Adam Smith. They have been the mine which later authors, French, German, English, and American have worked when they wanted to be original. † Translated into eleven languages, they span the earth and instruct the world. The mode of economic emancipation which he outlined in 1838, and which it was the object of his "Principles of Political Economy" to recommend, was rejected by his own country in favor of emancipation by sentimental hysterics, at a cost of 1,000,000 lives and $9,000,000,000. We preferred popular convulsions to economic prudence. Russia, however, not merely studied his works but adopted his methods of emancipation, freeing 23,000,000 of serfs without the shedding of a drop of blood or the falling of a tear of sorrow. Japan and China, Austria-Hungary, Italy and Germany, as well as France and England's colonies, have profited by our export of American

* Mulhall says of us: "Every day that the sun rises upon the American people it sees an addition of two and a half millions of dollars to the accumulated wealth of the Republic, which is equal to one-third of the daily accumulations of mankind. These are as follows, viz:

United States	$825,000,000 per annum.
France	375,000,000 " "
Great Britain	325,000,000 " "
Germany	200,000,000 " "
Other countries	725,000,000 " "

† Lester F. Ward, however, in his "Dynamic Sociology," has contributed a work of great though uneven value not open to this criticism. Francis A. Walker's writings are judicious merely, not creative.

Political Economy. Recently an attempt was made to compile an American Cyclopedia of Political Economy without any mention of Carey, and to consist largely of European articles. When the book appeared it was discovered that each of the European articles was freighted with his views and redolent of his name.

"For, lo! Ben Adhem's name led all the rest."

America has much in National Economy to learn, though more from the statesmen and practical legislators of Europe than from England's closet theorists or cotton-spinning plutocrats. Even now the United States are bringing upon the world a severe monetary stringency, and greatly enhancing the purchasing power, while destroying the productive power, of money by the payment of our national debt. Now, to extinguish a national debt is to contract the world's circulating medium. Yesterday, two factors were circulating, either of which would have been equally available as means of payment for goods, stocks, or land. One was the national bond, the other the gold which paid the bond. To-day, the bond being paid and burned, there is but one. Hence, the gold which has swallowed the bond has increased in purchasing power, at the expense of goods, stocks, land, and the people. The zeal of our patriotism is eating us up. It is not the burden of taxation attending the payment of a national debt which renders it destructive of industries; it is the fall in all commodities, due to the enhanced power of coin, which, in turn, is due to the elimination from the world's currency of half a million dollars per day of highly transferable credit. Yet, with all our mistakes we do some good things in a wise way. We prove that while the *vox populi* is not always wise, yet neither is the highest wisdom associated, as Aristotle and the Greeks thought, with the greatest leisure. Our busiest men reflect with most truth, and perceive most accurately. Those who have done most to make our social and financial world what it is, ever continue to be those most competent and best disposed to make it what it ought to be.

VAN BUREN DENSLOW.

MARRIAGE AND DIVORCE.

THE marital relation is the normal condition of adult mankind. Whoever of either sex voluntarily lives out of that relation is at war with nature and her laws, and consequently with the best order of society. The rebellion may not be heinous enough to call for any punishment, beyond what it carries as its own consequence; nevertheless it fights incessantly against the true interest of organized communities. This is proven by the fact that marriage alone is the mother of the family; and the family is the organic unit of civil society, and the sheet-anchor of its good order. Without marriage, there can be no family in the sense in which I am using that term. Think for one moment what society would be without the family. Blot out the relation of marriage. Annul its obligations and duties. Conceive, if possible, of all women forever husbandless, of all men forever wifeless, of all offspring forever bastardized. Imagine the home, the hearthstone, the family circle with all their loves, their tender friendships, their lifelong sympathies, their parental, filial, and fraternal ties, their hopes, fears, and cares of infancy and youth, in joy, health, and life, in sorrow, sickness, and death; their rights of heritage and heirship, of lineage and name, all shattered and gone forever, and the race turned loose in a pandemonium of selfish and indiscriminate lusts and crimes. No Dante could paint such a hell; nor could its fires be extinguished, save by the slow expiring ashes of universal dissolution. He studies man and his origin, nature, and history to little purpose who fails to see that the family and marriage, its creator and preserver, are of all things foremost in importance to the peace, happiness, and progress of the race.

Polygamous marriages, while they impair, do not destroy, the force of this truth. A plurality of wives, when lawful (I have

never observed that civilized man was ever sufficiently altruistic to tolerate a plurality of husbands), may possibly conserve some of the advantages of the family; but that state of barbaric life is not fairly under our discussion. We treat only of the union of one husband with one wife, in the Hebraic-Christianized idea of that union.

The subject of marriage is so deeply inwoven with the public interest that the State, whatever be its form of government, must, as a matter of self-preservation, take the institution into its charge by provision of laws enacted for its control and protection. The question at once suggests itself, whether it should be treated as a religious or as a secular institution, or as one combining both of those qualities. For my own part, I confess to a leaning toward the religious side of the question. Not that I am a religionist in any narrow sense of that term; but because I like the ceremony of religious solemnities in marrying and giving in marriage, and the better provisions they usually afford for preserving proper evidences of the transaction. This latter reason is not of trifling significance, but of serious importance, especially to the wife, and the children that may be born of the marriage. But in our country, where no State religion does or can exist, it is doubtless wiser that the State should recognize marriage as a simple contract which may be entered into by persons who are free from all legal, mental, and physical disabilities.

The State should, therefore, recognize the validity of all marriages between competent persons, made in any mode or form that indicates the making of a civil contract. It should prescribe, by statute or by common law, the disabilities and incompetencies that prevent the exercise of the general right to marry—such as infancy, consanguinity, mental or physical incapacity, and previous marriage,—but subject to them and in consonance with public policy, accord the largest possible freedom to matrimony. It should neither prescribe nor require any particular ceremony; nor, on the other hand, should it interdict or disfavor any. It should permit and recognize the validity of all forms of religious ceremonial, and leave both the conscience and the judgment free to select their own form, and the place and manner of its administration. In short, it should require nothing but the one essential element; and that is, the consent to the matrimonial contract of parties capable in law of making it. It is only when

parties desire the registration of the evidence of the marriage in some manner provided by statute, that the ceremony should be performed by certain specified persons and officials and in specified ways. All marriages solemnized by such persons or officers could be authenticated and made matter of public record, and be capable of proof by such record.

It ought also to be provided that all valid contracts of marriage, when reduced to writing, and subscribed to and acknowledged by the parties, or proved by a subscribing witness, may be registered and made evidence like those solemnized by the persons or officers. Restrictions ought also to be imposed upon the marriage of infants. The common-law rule of twelve years for females and fourteen for males is not a fit or decent one for this country. The age should be at least fifteen and eighteen years.

Again, in all suits between parties in the life-time of both, in which the issue presented is the fact of the making of a contract of marriage between them *de verbis in præsenti* and without witness thereto, such contract should not be provable without the testimony of one or both of such parties to the fact of making the contract. Where either party is legally competent to testify to the making of the contract, the necessity of inferring it from circumstances alone is in large degree taken away. In most litigations of that kind the alleged matrimonial contract springs out of meretricious and illicit relations between the parties, which the law should in every way discourage and condemn. It is only where the rights of issue, or the claims of one party after the death of the other, or the rights of third persons, are in controversy, that the present rule of inferring marriage from circumstances alone should prevail. Clergymen and all official persons should be prohibited by law from marrying persons unknown to them, children and youth without consent of parents or guardians, intoxicated persons, and all persons apparently unfit or incapacitated.

With these modifications the marriage laws would conserve the nuptial relation, the interests of the public, and the demands of morality, without regard to the question whether the solemnization of marriage ought to be deemed a sacrament, a religious ceremony, or a simple contract, thus leaving every person to the free exercise of his or her own conscience on that question.

But the question of the manner of forming the relation is of little significance when compared with that of the nature of the relation when formed. That is not a mere copartnership of individualities created to intensify individual advantages and enjoyments, but a God-ordained union of bodies, hearts, minds and souls consecrated to the perpetuation of the race by the creation of the family, through which organized society obtains its surest and holiest guarantees of happiness and progress. Whether created by simple contract or the most solemn religious ceremonies, it is an institution public as well as private in its nature, because of its intimate relations to society and posterity. In this light only, I insist, can the marriage relation be rightly viewed.

But there seems to be no great good in this world without some great antagonizing evil. Every Eden has its serpent. Marriage is no exception, for over against it stands its antipodal foe, Divorce. The State, society, good government, good order, and all their attendant blessings are, from the necessities of their nature, hostile to divorce. A few words may demonstrate this, for divorce disintegrates and destroys the condition of things out of which these spring and grow to their supremest beauty and strength. If a state of society could be found in which no present recognized ground of divorce did or could exist, the folly and crime of inventing a ground would be monstrous. All the conditions of perpetuity through the family, by growth, prosperity, and power, other things being equal, would be guaranteed to such a state; and the introduction of divorce would be, like the dynamite of modern Irish warfare, a devil's ingenuity. As it is the State — society — that is most deeply interested in the existence and continuance of the family, and marriage its founder, so it is society that is most deeply wounded when divorce disrupts and terminates those conditions of life; because it invades the home, defiles its sanctities, lays open its privacy, dishonors its parentage, shames its childhood, and arrests the only pure revenues of human life.

Therefore, in considering the subject of divorce, the interests of society are first and paramount; those of individuals are subordinate and secondary. In entering upon the marriage relation, the parties contract with society to respect and perform all the functions and duties of that relation for the welfare of society: to set up the family, to create a lineage and rear it to good citi-

zenship for service in war, and in peace, in order to maintain the State. This contract they have no power or right to annul without the consent of the State.

Herein lies the fallacy of the notions of some of the modern advocates of free-and-easy divorce. They ignore the supreme conditions and purposes of marriage, and elevate the individuality of the parties above the supremacy of society and the State. They treat marriage as a simple contract, affecting them only who make it, and who, they say, can therefore unmake it at pleasure. They wholly discard the idea of the life-unity of one man and one woman in a relation sacredly consecrated to any high, or holy, or other purposes than those of caprice or passion. They ignore the family and exaggerate the individual, and wholly discard the claims of the State. This is no new idea. It has always been a central idea of barbarism. It has prevailed through the most licentious eras of all peoples. It is the culminating thought of the harem. It has been the curse and degradation of woman, making her the slave and man the master, a creature for the shambles, bought and sold at the price of lust — higher in her bloom, lower in her decay, than "the dumb driven cattle."

But you will say: "Do you argue, then, for no divorce?" Better, infinitely better, that than the result to which we are madly hastening in this country. But no: I do not take that stern and stronger ground. I know that the weakness and wickedness of human nature are such that some system of divorce must be tolerated by society to protect injured innocence; but it should greatly differ from those systems that now prevail. Our present systems are barbarous and degrading. They have led to a large increase of divorces in proportion to marriages. In some States the ratio has advanced from, say, one in thirty-five to one in ten; in some to one in six, and in some cities the proportion is even greater.

It is safe to say, says one writer, that divorces have doubled in proportion to marriages in most of the Northern States, and present figures indicate a greater increase. There are remarkable contrasts between the States, attributable to the difference of statutes and modes of procedure; the percentages of increase being largest in States furnishing the readiest facilities as to grounds of divorce, and the ease and cheapness of obtaining decrees.

One great evil of this state of things is that the public mind is becoming habituated to look upon divorces without shock, and without a thought of their injury to public morals. The press teems with scandalous reports of such suits, often giving prurient and disgusting details, which the youth of neither sex can safely read; and thus our conception of the marital relation and its duties is becoming alarmingly debased. It is even doubtful if marriage is not often entered upon now with much preliminary consideration of the chances of easy divorce.

Another and by no means a less evil is found in the effect the general looseness of marital obligation has on the growth of families. A large family of children is a safeguard against divorce. Parental love, with all the mutual and tender affections with which it surrounds and hallows the family circle, hovers like a guardian angel over the sanctity of conjugal love. Seldom, indeed, does Satan's device—the dissolution of the ties of marriage—invade such a home. But I have no doubt its possibility often goes far to prevent the existence of such homes. Children have come to be considered obstacles to the freedom of separation; and whenever that is the case, the malaria of divorce is fatal to maternity. All right preceptions of Nature's law, which is God's law, and of that righteous patriotism which seeks to make our own virtuous and well-trained posterity the strong hope of a nation's purity and greatness, are in danger of being sacrificed to our petty conceptions of individual ease, to an extent which, by the laws of sociology, prefigures barrenness. And so we Americans by descent are fast handing over our country with all its mighty interests to the races of immigration and their descendants who are happily taught obedience to the laws of nature as a religious duty.

I cannot dwell upon these evils, yet I will denounce them as fatally injurious, not only to the morality but also to every good interest of society. Doubtless, the evils I have named prevail most largely wherever the grounds of divorce are most numerous. We have one State, South Carolina, where no divorce, either legislative or judicial, can be or has ever been granted, though by strange political perversion that State has never been over-attached or faithful to another union. I am greatly misinformed if in that State the peace, purity, and felicity of families do not maintain a far higher standard than in States where divorces are the chronic mischief and misery of

domestic life. In the Colonial history of the State of New York for more than a century divorces were unknown. Who asserts that conjugal unhappiness was greater in that period than after divorce became the law and rule speaks without proof.

All precedent shows that human life, and especially woman's life, is happier as a rule in countries where divorce is not lawful and not permitted than in those where it is most common and free. For divorce is an evil that always grows by what it feeds upon. It feeds upon the baser vices of our nature, and they propagate and increase as the demand enlarges to meet an inordinate and depraved appetite. A striking illustration of this fact has just been disclosed by the discovery of a manufactory of forged divorces in the city of Brooklyn, from which it is said two hundred decrees have lately issued with the apparent formalities of judicial procedure; the parties obtaining them looking and caring for nothing but expedition, cheapness, and secrecy. Such a state of things could not exist, but for the appalling moral laxity bred by the frequency of divorces. Both physically and morally, men accommodate themselves to the rule and necessity of conditions. So, if the condition of life and law be such that the marriage tie may be easily disrupted, men speedily come to think of its disruption as a process of relief, proper and defensible. This fact speedily operates to change the harmonies of wedded life into discords; and conjugal jars, which otherwise might only be considered as new starting-points for closer and tenderer affiliations, are nursed into irreconcilable and fatal quarrels. But when the rule and necessity are the opposite, both husband and wife are taught by that condition to adhere to the true nature of marriage by turning discords out-of-doors and studying the conciliations due to mutual happiness.

While this is more true and apparent where no divorce can be obtained, it is proportionately so where the grounds of divorce are strictly limited. Hence it is true policy, if the evil of divorce must exist, to confine it, so far as absolute divorces are concerned, to the single ground of infidelity. Some writers would limit this to the infidelity of the wife alone, because of the shadow that her wrong may cast upon the paternity of offspring. But to this theory I say emphatically, No! Both sexes enter the relation on equal terms. For both the vow of chastity is the same, and the guilt of its breach lies not in a possible conse-

quence, but in a wrongful act. And so the law, to be just, must be equal and equally enforced.

Accepting the remedy of divorce on the ground of infidelity as a necessary, if not justifiable, evil, the question arises, how shall it be used and applied? On this question our laws are altogether at fault. They are as well guarded in New York, perhaps, as anywhere. But even in that State there is positively less danger of fraud in the procedure to collect a promissory note than in one to annul the most sacred civil contract men can make. It is possible under our present laws that a husband and wife may rise from their lawful bed in the morning bound by the bonds of matrimony to each other, and each lie down at night of the same day the lawfully wedded husband or wife of another party. Accordant desires are all that are necessary to produce this result, if there has been guilty infidelity on the part of either. For a summons and complaint may be served at one hour; an appearance and answer by attorney and consent to refer in another; an order of reference forthwith; a hearing, report, and motion for judgment a few hours afterward; and a marriage by the injured party here, while the guilty party slips across to New Jersey and returns the wife or husband, perhaps, of a paramour. This is true, and yet it seems almost as ludicrous as the imaginary announcement to passengers by the conductors of trains approaching Chicago: "Twenty minutes for divorce."

But if this can be done by willing parties, what cannot be done by fraudulent ones? The frauds are mostly perpetrated on wives; but Eve's adroitness is not always at a loss to commend the fruit to the lips of Adam. The courts strive earnestly to guard against such wrongs; but their very safeguards are sometimes made the weapons of fraud; and this especially where, as in many cases, the proceeding is instigated by a strong desire to marry somebody else. This was shown in the forged divorces I have already referred to. I recall some special instances in which I have had occasion to set aside decrees for fraud. In one case the husband, a farmer, astonished his aging wife, broken down with hard work, by insisting on her making a visit of rest to her relatives in Massachusetts. She gladly went, and remained at his request some two or three months. Meanwhile he began his suit for divorce by publication, and by false testimony obtained it; and when the wondering wife, after weeks

of silence, reached her home, she found another woman installed in her place, and she was driven ruthlessly away. In another case the summons was served "personally" by a tool of the husband, by placing it between the leaves of a book and carelessly handing the book to the wife. In each of these cases the fraud was discovered and the decree annulled, but not until the villainous husband had entrapped another innocent woman into marriage with him by displaying his ill-gotten decree. I refer to these cases to strengthen my position that the laws of procedure in actions for divorce ought to be changed.

First. So that no judgment could be entered until it appeared clearly that the suit had been actually pending at least six months after service of the process. This not only to prevent frauds, but to give the parties a breathing spell for possible reconciliation, and to prevent immediate and shameful remarriages.

Second. In all cases the defendant should have the right to insist that the alleged paramour be brought in and made a party to the action, so that an unjust accusation could be met and confuted by both of the accused who are interested in maintaining innocence.

Third, and above all, inasmuch as society is deeply interested in all such actions, the State should be made a party so that it shall be able to prevent the wrongs that are inflicted upon the public, and upon children and innocent persons; and no judgment should be allowed until it appears that some lawful representative of the State has been served with process and has had opportunity to appear and resist the divorce. This mode of conserving the rights of society ought to be carefully secured, and over the question of the cost of securing such protection the courts should have adequate power. Now it often occurs that by such actions helpless children are bastardized or made homeless and thrown upon the public for support by the destruction of family relations, with no one to speak a word in their behalf or for the public.

These, with the jurisdictional provisions of our statutes, strictly observed, would bring actions of divorce within the bounds of actual guilt and necessity, and not leave them so completely to the caprice of parties, or their frauds or perjuries.

But the greatest evil in this country grows out of the differing laws of the several States touching the grounds and effect of divorce. I need not point out these differences. They run the

gamut of conjugal infelicities, ranging from adultery down to incompatibility of temper, including the discretion of the courts, sometimes defined to be "the measure of the Chancellor's foot."

All who think upon the subject will agree that uniformity of the grounds of divorce ought to exist throughout all the States. This alone will prevent the incessant hegira from State to State of persons seeking to escape the bonds of matrimony, and that vast procession of evils that follows such efforts. It is a monstrous truth that a person can quit the State of his residence, and, leaving his wife and children behind, in a brief time obtain in the courts of another State a decree of divorce entirely valid in that State, but absolutely void in the courts of other States. His remarriage is lawful there. It is felony elsewhere; and his guilt or innocence depends upon which side of an imaginary State line he happens to stand. This would be less important if the status of his wife and children, past, present, and future, were not to be seriously affected by the decree. Let me illustrate.

A is married in New York, where he has resided for years, and has a family and is the owner of real and other estate. He desires divorce and goes to Indiana, where that thing is cheap and easy. Upon complying with some local rule, and with no actual notice to his wife, he gets a decree of divorce, and presently is married in that State to another wife who brings him other children. He again acquires new estates; but, tiring of his second wife, he deserts her and goes to California, where in a brief space he is again divorced, and then marries again, forming a new family and acquiring new real and personal estates. In a few years his fickle taste changes again, and he returns to New York, where he finds his first wife has obtained a valid divorce for his adulterous marriage in Indiana, which sets her free and forbids his marrying again during her lifetime. He then slips into an Eastern State, takes a residence, acquires real property there, and after a period gets judicially freed from his California bonds. He returns to New York, takes some new affinity, crosses the New Jersey line, and in an hour is back in New York, enjoying so much of his estate as the courts have not adjudged to his first wife, and gives new children to the world. At length his Master takes him. He dies intestate. Now, what is the legal status and the condition of the various citizens he has given to our common country? And what can the States of their birth or domicile do for them

A few words will show how difficult and important these questions are. The first wife's children are doubtless legitimate and heirs to his estate everywhere. The Indiana wife's children are legitimate there, but probably illegitimate everywhere else. The California children are legitimate there and in New York (that marriage having taken place after his first wife had obtained her divorce), but illegitimate in Indiana and elsewhere, while the second crop of New Yorkers are legitimate in the Eastern States and New York, and illegitimate in Indiana and California. There is real and personal property in each of these States. There are four widows, each entitled to dower and distribution somewhere, and to some extent, and a large number of surely innocent children, whose legitimacy and property are at stake. All these legal embarrassments spring from want of uniformity of laws, on a subject which should admit of no more diversity than the question of citizenship itself.

The only direct and effective way is to authorize the establishment of uniformity by the only power that can have universality of jurisdiction. It needs but two words added to the fourth subdivision of section 8 of the Constitution of the United States, so that it shall read: "Congress shall have power to establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies *and divorce* throughout the United States." But we are told that this would produce "centralization," whatever that may mean, and ought not to be done. But it is one of the very subjects on which centralization ought to exist; because, while it would leave the State courts free to act in their respective spheres, Congress could so define the grounds of divorce and the jurisdiction of the subject that judgments would be universally binding and uniform; and that was one of the things in contemplation in framing the Constitution. That would free us from the wickedness and crimes which now shame our administration of laws; and would elevate divorce from a system of strategic deceptions and frauds, disgraceful to savages, to one of law and order. No questions of illegitimacy could arise, and citizens of the several States having the same father or mother, if legitimate at home, would be legitimate everywhere. I must conclude with this brief summary:

Marriage is an institution divine in nature and origin; established by God, whether by the fiat of his supreme wisdom or through the operation of natural laws evolving, by survival, the fittest wisdom; and designed and best adapted, by its union and

unification of the sexes, to confer and preserve individual happiness, to create the family, and thereby to perpetuate the race, the people, and the State in the highest orders of civil government. This institution is the same, in whatever form created or solemnized, and as such is to be recognized and supported by the wise laws of all civilized peoples, and when created by the contract of competent parties is something superior to their volition, and indestructible by their separate or voluntary action. Whatever impairs or destroys its unity, and the fruits of its unity, is injurious to personal and public morality and the general well-being and good order of society; and is therefore to be repressed and restrained by law, and subordinated to the general good. Divorce is such an evil, and is therefore justly obnoxious to every repression, restraint, and limitation consistent with the administration of that justice which looks to the common safety and happiness of man.

NOAH DAVIS.

THE ANNEXATION OF CANADA.

THE future of Canada must necessarily engage the attention of thoughtful minds in the United States. The actual condition of the two nations and their present and future interests and prospects, call for calm and intelligent reflection. Settled, chiefly, by kindred races, each has grown, and continues to grow, rapidly, although under dissimilar institutions; while the large and mutually profitable trade which has for many years been carried on between them bids fair to attain, at no remote period, much greater dimensions. In intelligent circles in the Dominion, French and English, one often hears discussed the question, "Will this Confederation experiment succeed — how long will the Union last?" People, within and without political circles, cannot help speculating as to whether the different provinces, sundered by vast stretches of inhospitable wilderness, rivers, lakes, and mountains, can hold together against the various disintegrating forces at work, including diversities of race, antagonistic interests, and mutual jealousies, which have prevented a close, friendly amalgamation so far, and taxed the ingenuity of the different Canadian governments to preserve a semblance of accord or fraternal feeling. Mere conventional devices and artificial bonds will not stand the pressure of the quiet but potent influences of inclination and self-interest when they steadily operate in any particular direction. The old fogy spirit of unreasoning traditional loyalty has largely died out in Canada, the people taking sensible views of personal duty and national advantage. They are liberal and practical in temper, allowing their feelings and opinions to be mainly molded by the generally controlling consideration of self-interest. Even those who yet pride themselves upon a cordial attachment to British connection, are obliged to admit that a political or a commercial union of the Dominion and the United States could

not but largely increase the prosperity of both. The annexation sentiment prevails most among the young and middle-aged, who have either lived in the Republic or become familiar with the prospect of a future residence therein. The emigration of Canadians, principally young people, French and English, to the United States continues; and though many, after a longer or shorter residence, have returned to their native land, over a million have remained behind. According to Sir Richard Cartwright, more than 100,000 emigrated last year.

It would be highly impolitic on the part of the public men of the United States to manifest indifference to a freer and more extensive trade with over 4,400,000 of a kindred race, living along their own Northern border. Canadian official returns show that, despite the existing artificial wall of hostile tariffs, the Dominion imported from the United States in 1883 $56,032,333 of merchandise. The addition of the Canadian exports would constitute an international trade of $100,000,000. The political or commercial union, even, of the two countries opens up a vista of boundless possibilities of mutual gain, when we reflect that during the ten years of the Reciprocity Treaty the trade of Canada with her neighbor trebled, rising to over $180,000,000. The removal of the wretched fetters which cripple their trade would accomplish wonders for both nations. Even were the Canadian North-west left out of the account, it is my belief, considering the enormous mineral, forest, and agricultural wealth of Old Canada, her contiguity to the Northern States, favorable geographical position, magnificent natural channels of trade, her splendid railway system, immense tracts of virgin soil, and other advantages already turned to considerable account by her sparse and struggling population, that union with such a country, possessing a territory of nearly half a million of square miles, with an enlightened, enterprising, and law-abiding population, should be an object of the most ardent desire to so great a power as the United States.

In order to a proper appreciation of the question of annexation and something like an adequate exhibition of its importance to the United States, I shall state facts and reasons to show that the realization of this project would benefit the Republic as much as, if not more than, its northern neighbor, and could not fail to confer incalculable material and moral advantages upon both.

Few Americans, and, indeed, only a small number of Canadians themselves, have anything like a fair knowledge of the almost illimitable extent and resources of that new North-western empire, recently acquired from the Hudson's Bay Company and by political arrangement with the people of British Columbia, which is being opened up by the Canadian Pacific Railway. Till within the last dozen years, few, save the hunter, speculator, or adventurous lumberman, have penetrated its northern and remote districts. But such explorers have exhausted their imaginations and vocabularies in attempts to express the raptures which this region has aroused. Its bewildering extent, soil of phenomenal richness, wonderful natural arteries of communication, numerous coal-beds, bursting through the prairie; its iron and other mines, only a portion of them as yet known; its wealth of game, healthy climate, favorable seasons for agriculture,— all combine to justify the enthusiastic laudation it has elicited. Its extraordinary fertility has caused Americans as well as British and Canadian visitors to style it "the future granary of the world." The volume of wheat and other cereals obtained, even under the crudest farming, averages about thirty bushels to the acre, as against twenty-five to fifteen, in even good regions, further south and east. The Canadian Pacific Railway will soon effect through communication between tide water on the St. Lawrence and the Rocky Mountains, some three thousand miles, leaving but a gap of less than three hundred miles to complete the connection with the Pacific Ocean, when the North-west will undoubtedly become one of the most important regions of this continent.

The total area of the Dominion amounts to 3,304,381 square miles, at least, allowing 193,355 for Quebec, and about 200,000 for Ontario, according to the contention of her Government; Nova Scotia, 21,731; New Brunswick, 27,322; Manitoba, with her recent additions, over 100,000; British Columbia, 213,000, and the North-west Territory about 2,700,000. This constitutes an enormous, perhaps an embarrassing, heritage for a population not wealthy, and numbering scarcely 4,500,000. The total area of the United States is 3,602,990, not quite 300,000 miles more, but with a population of 50,155,783.

Quebec and Ontario possess large areas of good land, promising mines, and valuable belts of timber, in their newer back

regions, which would afford profitable employment to vast amounts of capital and labor. In Ontario, particularly, much has been done, and with gratifying results, during the last decade, to make the most of her substantial resources. Among the most efficient means resorted to, I might mention good colonization roads, and the construction of railroads through the back country. Many emigrants have thus been induced to settle in Ontario and the newer region further west. If the advantages of Quebec were better known, she would doubtless attract more capital and immigrants; but her rulers have allowed immigration to pass her doors, devoting their means and energies to less profitable undertakings. They have sacrificed large amounts to bring back ("repatriate") French Canadians living in the United States, though with but indifferent success. Official reports state that there are in Quebec over 5,000,000 acres of land available for cultivation, and capable of yielding large crops, and many other resources inviting capital and labor. Ontario has a soil, climate, and population resembling those of New York and Ohio, and an extensive domain fit for settlement and adapted to the growth of various products. The Provincial Bureau of Statistics reported an average yield of fall wheat, for 1883, of twenty-six bushels per acre against sixteen for Ohio, sixteen for Illinois, and nineteen for Kansas; and a larger yield of barley than all the best States, Dakota alone surpassing Ontario by one bushel. As to oats and rye, she ranked among the best States.

The above facts suggest the practicability of astonishing industrial results and provincial growth, with a sufficient volume of capital and intelligent population, devoted to the development of the great natural wealth of the country. The notion that formerly prevailed with most people on both sides of the Atlantic, that Canada was mainly an inhospitable, impracticable region of Arctic climate half the year, is now pretty well exploded. The maritime provinces also enjoy valuable natural advantages in the shape of good land, timber, fisheries, and minerals, including coal.

Now, let us glance at the business done by the colonists. The trade of Canada for 1883 was the largest known, the imports exceeding those of the year previous by nearly $13,000,000. The exports were $98,085,804; the imports, $132,254,022.

The following figures show the revenue and expenditure for the same year: Revenue, $35,088,336; expenditure, $28,805,229; surplus, $7,064,492.

The Government officials report, for 1883, 133,303 immigrants; for 1882, 112,000; and, for 1881, 47,000. Of course great efforts were made the last two years to entice European emigrants, the Canadian Pacific Railway Syndicate and various colonization companies owning lands in the North-west vigorously coöperating with the Government, which spent over half a million with this object, each season. While such details should deeply interest the public of the United States, on grounds of comity and honorable regard for the onward march of that true civilization, in which both nations are already mighty factors, they should naturally excite, in addition, the greatest concern in connection with the extensive business relations which must spring up between them.

From even a brief survey of the great natural advantages of the Dominion, it would be injudicious to exclude the following statements, mainly gathered from official documents: New York is 3040 nautical miles from Liverpool; Montreal but 2783; Quebec, 2645; and Port Nelson, on Hudson's Bay, only 2941, it being within 300 miles of Lake Winnipeg, the center of the vast river systems which drain the entire country between the forty-ninth and fifty-fourth parallels, from the Rocky Mountains to within less than a hundred miles of Lake Superior. Again, going westward, we find the Pacific ports of Canada nearer China and Japan than those of the United States. Japan is 4470 nautical miles from San Francisco; from Buzzard Inlet, near the terminus of the Canadian Pacific Railway, 4374. That road will cross the Rockies, at the highest point, only some 3646 feet above the ocean level, while the United States railways to San Francisco rise in several places to a height of nearly one and a half miles, and for 1300 miles the Union Pacific is everywhere higher than the loftiest point of the Canadian Pacific Railway. The distance from Japan to Liverpool saved by the Canadian route, as compared with that *viâ* San Francisco and New York, is 935 miles; but the Canadian route, *viâ* British Columbia and Port Hudson, Hudson's Bay, would be but 9734 miles, or 2353 less than by the United States. The latter Canadian route, however, could only be used from May till October. These facts and statistics will convince the most prejudiced

or skeptical that the new nation to the north of the Republic, as regards all the elements of national strength, wealth, and independence, has already attained the status of a very respectable power, with every prospect of reaching, ere long, an enviable place among the nations of the earth.

But the lavish expenditure of money by the Canadian Government, of late years, has excited genuine alarm in many quarters. The outlay upon the Canadian Pacific Railway and other public works, last year, mounted to the ominous total of $14,171,413, over ten millions going to that road. Add to those disbursements the following fresh obligations, incurred last session, to swell the debt of the Dominion, and no one will wonder at the alarm felt: Loan to Canadian Pacific Railway Syndicate, $30,000,000; Vancouver Island Railway, $750,000; settlement of provincial debts, $4,000,000; new railway subsidies, at least $9,000,000; amounts stated in supplementary estimates, $1,379,000; total, $45,129,000. The disbursements in 1868 were $13,687,928; meantime the population has not grown more than one million. This is one of the most serious grievances of the country, and bodes danger to confederation. But there are others.

The discontent existing in several of the provinces, despite the great expenditure in them, to develop their resources and render their inhabitants contented, loyal citizens, is daily assuming more serious proportions. Only a year or two ago, British Columbia was deafening her sister provinces with the cry of annexation, that demand ceasing only with the rapid construction of the Canadian Pacific Railway from the Pacific coast eastward, at an enormous expense to the Dominion. The disallowance of the Anti-Chinese Bill the other day is another source of dissatisfaction to her. In Manitoba, for some time past, men, in private and in public, have manifested great indignation, threatening secession and annexation in consequence of the Ottawa Government having refused to remove the high duties upon agricultural implements; also on account of the locking-up of Manitoba lands in some cases, and in others the prodigal disposal of them to speculators, with the maintenance of the railway monopoly against the wishes and interests of the settlers.

The province of Quebec has been restless, dissatisfied, and anxious under the heavy debt accumulated of late years. Starting in 1867, free of debt, with a respectable balance to her credit,

her rulers, Conservatives during the whole of the period, except for a few years, from, say, 1875 till 1878, have managed to roll up a debt aggregating, some authorities say, $11,000,000, and others $15,000,000. The bulk of the debt was incurred, say the Conservatives, in self-defense, in constructing the new railways on the north shore of the St. Lawrence and Ottawa, from Quebec to the Federal capital, and assisting other railroads designed to encourage the settlement and development of the province. However correct that statement, the debt stands out in menacing proportions, a load both irritating and oppressive. But the handling of large amounts, the borrowing and disbursement of millions by a knot of unprincipled politicians and speculators, led to reckless waste and to such scandals generally as convinced the public that vast sums of money were going to the wrong parties — that, in fact, the leading minister and his chums were growing rich at the public expense, and that, if the system were not speedily changed, the province would be thrown into bankruptcy. Leading Conservatives and Liberals alike, in alarm, cried out for a change, which was only effected when the harm was done. The railroads from Quebec to the Federal capital were sold by the *clique*, the Ottawa end to the Canadian Pacific Railway Syndicate and the Quebec Line to the Grand Trunk, both bringing about half their cost, or less than $8,000,000, and, if report speak truly, enormous commissions to the manipulators. The Premier, to save further mischief to the party and the province, was transferred to the Ottawa Cabinet, leaving a crushing load of scandals and troubles to his successors, one of whom, Mr. Mousseau, quickly succumbed to them. The fate of the present Prime Minister, Mr. Ross, is a matter of some uncertainty. His Cabinet could not have been formed had not the representatives of Quebec in the Federal Legislature obtained the promise of "better terms," which, indeed, was the condition upon which they voted for the Canadian Pacific Railway loan. The financial balm, or, as Sir Richard Cartwright would call it, the fresh bribe, to Quebec reaches some $247,000 a year, with which it is hoped she will be able to meet her engagements.

A very serious matter is the dissatisfaction and alarm excited in the province of Ontario, the backbone of the Dominion, by the centralizing policy of Sir John A. Macdonald's administration. Immediately after condemning Federal interference with the license law and other subjects claimed to belong exclusively to

provincial jurisdiction, the Ontario Government induced the Legislature to pass strong resolutions censuring and protesting against the assumption of their railways by the central authority. The provincial government feels strongly on this subject, having disbursed $8,000,000 in addition to $10,000,000 spent by the municipalities on those roads. Considering the difficulties between the central and local authorities of late years, it is no wonder that the possibility of a break-up of the Confederation, in the event of further aggression upon Ontario, was menacingly alluded to by ministerial and other speakers. The province of Quebec has also protested against the same centralizing policy, as shown in the passing of the Dominion License Act, last year, and has resolved to disregard such Federal legislation and interference with provincial rights.

These are among the sources of danger to the continuance of confederation, not to mention Nova Scotia and New Brunswick, which, in spite of the late increase of Federal subsidies, are not content. Everybody acknowledges that Canadian disunion, or the secession of any one province, means a powerful impetus to the cause of annexation. Most certainly the French Canadians would hail it to-morrow as infinitely preferable to a legislative union of the provinces, which is one of the pet schemes of the Premier of the Dominion.

Would it not, then, be infinitely better for the Government of the United States to adopt a policy calculated to remove all obstacles to a freer trade between them and the Dominion, which must result, at least, in more extended social intercourse, greater mutual respect and sympathy, as well as in vastly enhanced material benefits? With so many Canadians actually settled in the Republic, and a continued migration thereto from the older provinces, what valuable advantages, present and future, might not be looked for from a union of the two countries? What could be more striking evidence than the facts already set forth, of the value to the world in general, and the Republic in particular, of the magnificent empire stretching from its Northern boundary to the Arctic Ocean and from the Atlantic to the Pacific? Consider the vitalizing, fructifying effects of the great waves of American capital and population which might be directed over that "Great Lone Land"! What might not be predicted of the proper cultivation and development of even a few of its favored localities, with the erasure of artificial boun-

dary lines, and the establishment of advantageous commercial relations with the United States? What splendid opportunities would be afforded to the working classes of both nations—to the hard-pressed toilers of Eastern factories, mines, and foundries, as well as to the cultivators of sterile and worn-out lands—by the rich, virgin territory of the North-west, with a climate capable of invigorating the ague-stricken and enfeebled denizens of the hot and unhealthy latitudes south of the line 45°! And be it remembered that the available first-class land awaiting settlement in the Republic is of no very great extent, and that ere many years it will be all taken up. Surely, in the above facts may be found sufficient reasons for the adoption by the United States Government and people of a policy liberal, statesmanlike, and friendly in character, one of whose main objects should be to "go up and possess the land." With this country interested in directing a large volume of its capital, and also of its immigration, which reached about three millions in the last five years, to the best sections of Quebec, Ontario, and the North-west, we might look for the building up of a great nation on this continent, insuring the largest prosperity to its inhabitants and the happiest promise to humanity.

P. Bender.

GOVERNMENT TELEGRAPHY.

It is one of the incidental consequences of our peculiar Federal system that the great mass of American citizens have very little to do with the General Government. There is no parallel to this in either ancient or modern times. A Frenchman or a German passes his whole life in the continual presence of the supreme authority. From the moment when he is ushered into the world until the time of his departure from it, he is never free from governmental inspection. In his schooling, in his trade or profession, in all his downsitting or uprising, the State exercises a controlling influence. Even an Englishman nowadays cannot escape from pretty frequent contact with Parliamentary rule. All legal process is in the name of the Crown, and although there is more of local self-government there than in any other country except the United States, there is much less than there is here. In fact, almost the only way in which most of us have anything to do with the supreme authority of the State is through the Post-office. But the repulsive and unpopular features of Government make no appearance here. Its proper function is to make people do by force what they ought to do of their own accord, but the Post-office performs no such function. In conducting that enterprise Government is acting in a purely business capacity. It came to assume this business quite accidentally, and it is really altogether outside of those salutary but severe duties which are its peculiar province. But, as this business happens to be of an especially beneficent and popular character, it strongly tends to endear the Government to its subjects, and Uncle Sam is looked up to by his great family with a very hearty affection.

Under these circumstances it is not surprising that the proposal that the Government should add the business of telegraphing to that of carrying the mails, is listened to with a great

deal of favor. It is highly probable that if the proposal were submitted to a popular vote it would be adopted by an immense majority. Most people do not stop to consider either the details or the consequences of such a change. They know that the Government is mighty, and they believe that it is omnipotent; as it is said of the English Parliament, it can do anything but make a man a woman. They are very generally prejudiced against the great corporation that controls the telegraphs of the country — with how much reason we need not now consider — and they believe that the Government would do the business cheaper and better than it is now done. If they were asked for reasons for this belief, they would say: The Government has succeeded very well with the Post-office, and it would therefore succeed with the telegraph if it were to undertake it.

There are two assumptions involved in this reasoning: one, that the Government is successful in the management of the Post-office; the other, that the business of sending telegrams is so much like that of sending the mails that the Government can do the former as well as the latter. Neither of these propositions is so self-evident as to be admitted without argument. The Star-route trials showed that a great deal of corruption may exist in the Post-office for a long time before it is discovered; and a very little reflection will suggest many differences between the transmission of letters and telegrams. The only way to form a rational judgment upon such questions is to consider precisely what work is to be done in each case, and how the Government does it or would be likely to do it. The statistics to be examined are not very well arranged for the purpose, but enough may be extracted and condensed from them to answer our purpose.

The Post-office department undertakes the work of collecting and receiving packets, not only of written or printed paper, but also of merchandise, assorting them, transporting them from one office to another, re-assorting and delivering them. This involves the furnishing of necessary conveniences in the shape of buildings and materials, the manufacture and sale of stamps and envelopes, and the making of contracts for the transportation of the mails, for this part of the business is done entirely by private persons. It also involves the employment and payment of a vast number of officers, in which of course political exigencies have to be consulted. The money-order office being really a banking business, although having office rent and use of the mails at the

expense of the department, needs no special discussion. In order to learn the financial standing of the Post-office, we should naturally turn first to its balance-sheet. As the new rate of letter postage has just been established, we shall be obliged to use the returns for the year 1882. It will be at least a year before the effects of the reduction of postage can be known. This balance-sheet shows an expenditure of $40,482,021, and a revenue of $41,876,410, leaving a balance of $1,394,388 — the first favorable balance, by the way, for thirty-one years. This is slightly increased by credits for liabilities of previous years, but is nearly wiped out by the charges for transportation over the subsidized railroads. These charges are not paid in cash, but are credited to these railroads upon the books of the treasury. Of course they represent so much money paid by the people to private persons, and, when properly entered, reduce the balance in favor of the Post-office to $330,050.

Another peculiarity of this balance-sheet, as well as of those of most government offices, is the absence of any capital account. True, the amount of capital required by the Post-office is small — this being, as we shall see, one of the chief reasons why the Government can make so good a showing as it does — but it is still a considerable sum. An example will show the importance of this omission. The Brooklyn Post-office is now charged $7,300 yearly for rent. An appropriation of $800,000 has been made for a public building in that city, which remains unexpended only because it is not thought large enough to begin with. But if the building should cost no more, and the Post-office should use one-half of it, then, making the usual allowance for interest, taxes, etc., the Brooklyn office would pay a rent of $40,000 yearly instead of $7,300. On the most moderate calculation the yearly cost of this building could hardly be less than $30,000. But as soon as this charge has been incurred, the books of the department will show that its expenses have been reduced. There will then be no charge for rent. Really the expenditure will have increased by $23,000, while the books will show a decrease of $7,300.

The yearly value of the premises occupied by the Post-office in New-York City can hardly be less than $300,000, but neither this nor any other Post-office in a building owned by the Government seems to be charged for its accommodations. There are appropriations now awaiting the action of Congress that will

increase the actual rent of certain offices possibly ten-fold. The more there is of this extravagant expenditure the greater will be the apparent economy with which the department is conducted. No one knows what the people have paid for these public buildings, but it is certainly moderate to say that the rent properly chargeable to the department is over $2,000,000. To omit this is like a railroad's omitting from its books the cost of its road-bed. We conclude, therefore, that the Post-office really had a deficit of about this amount in 1882.

A deficit so small as this, however, is not a very serious matter to a great nation. Provided the service is otherwise satisfactory, it is not very important that it should be completely self-supporting. It is, of course, more just that those who use the Post-office should pay for it; but its benefits are so universally distributed that hardly any one is taxed who is not benefited. But if we examine the management of the department we shall find grave reasons for holding it very far from satisfactory. To exhibit these reasons clearly, we must look into the expenditures of the department, and also into the method by which its revenue is raised. Our space will not allow us to investigate the dealings of the Government in stationery, patent mail-locks, etc., with which it is supplied by contract. It is not very probable that the Government derives a profit from these transactions; the contractors are supposed to do that; but, as these expenses amount to little more than $2,000,000, we shall disregard them, and confine our attention to the two items of transportation and salaries, which together constitute more than nine-tenths of the total disbursements.

As to the system of adjusting salaries in the Post-office, the Postmaster-general declares that necessity herself could invent nothing more cumbrous or complex. The allowances for clerk-hire, rent, etc., are entirely arbitrary, being made by a fourth-class clerk governed by the amount of influence that the applicants can bring to bear on him. About $5,000,000 are thus distributed, and in a list of eighteen of the principal post-offices, excluding New York, the expenditure for clerk hire varies from 9 to 26.2 per cent. of the gross revenues.

"If the office at Boston could be administered by the expenditure of the same percentage of gross revenues for clerk hire which is spent at Philadelphia, it would effect a saving of $45,256.82 at that office. If both offices could be administered for the average expenditure made at the whole

eighteen, the saving would be nearly $73,500. If the whole eighteen offices could be administered by the expenditure of nine per cent. of the gross revenue for clerks, which is the cost at Lowell, the saving would be very great."—*Report of Postmaster-general.*

The saving referred to would be more than $400,000, out of a total expenditure for clerk-hire of about $900,000; which fact, with Mr. Howe's other suggestions, makes the wisdom of committing the telegraph to a department that perpetuates such abuses in its management at least questionable. But, disregarding this objection, let us examine the principles upon which the expenditure for transporting the mails, nearly four-sevenths of the whole, is conducted.

By far the largest item under this head, some $13,000,000, is that of payments to railroads. The principle upon which these payments are made is different from that adopted in the dealings of the railroads with private persons. In such dealings it is usual to make lower rates for long distances, but to the Government the rate is uniformly so much a mile without regard to the length of route. A road carrying an average weight of two hundred pounds, or any less amount, daily over its whole length is paid at the rate of about $43.00 a mile per annum. The compensation is gradually raised, until, for an average daily weight of five thousand pounds, it is about $170.00 a mile, and about $21.00 a mile additional is allowed for every additional ton. There is also a further payment to those roads that provide postal cars, at a rate varying from $25.00 to $50.00 per mile per annum, according to the size of the car. The results attained by these provisions will be best exhibited by comparing them with other transportation charges.

Omitting Sundays from the calculation, a rate of $43.00 a mile per annum gives a daily rate of between thirteen and fourteen cents a mile. We cannot tell from the reports furnished to the public what proportion of the whole number of routes is of this class, but it seems to be nearly one half, and is probably not less than forty per cent. We think it quite safe to say that on one-tenth of the railroad routes the average weight of the mails is less than one hundred pounds, and that upon one-half of the whole number it is less than that of an ordinary passenger with his baggage. The mails, however, receive only the care that baggage receives, being carried on these routes in the baggage cars. They can occasion no more expense to the rail-

roads than the trunks of their passengers, while passengers themselves are the most expensive of all freight to handle. The cars and station accommodations are a very heavy charge, and the ticket agencies, advertising bills, and damages for personal injuries altogether make the passenger business a very costly one. But upon few roads is the rate for a passenger as high as five cents a mile. In many of the States it is limited to three cents a mile. These rates, too, are the local rates for single fares, and where a passenger is carried as regularly as the mail, he is charged only from two cents to a half a cent a mile. Upon the whole we feel justified in concluding that in many cases for the transportation of an amount of mail matter equal in weight to an average passenger and his baggage, the Government is charged at least fifteen times as much as would be charged for the passenger. It would be a moderate estimate, however, to put the cost to the railroad of carrying the passenger at three or four times that of carrying the mail. If this calculation is correct, the railroads charge the Post-office about fifty times what they charge passengers for an equivalent service. But, as these estimates are based upon the commutation rates, we ought, perhaps, to modify them, as commuters are not allowed to carry baggage without an extra payment of a varying fraction of a cent a mile. We shall confine ourselves therefore to the statement, which we believe may be depended on, that upon half the railroad routes of the country the Government pays for the carriage of the mail in the baggage car at a rate from three to five times as high as that which a passenger at full local rates pays for himself and his baggage.

Even upon the great mail-routes, where the rate paid by the department is relatively less, it still seems to be excessive. So far as we can judge from the reports, the Pennsylvania Road owns only twelve full-size cars, and three forty-foot cars upon the routes between New York and Pittsburg. The use of these cars between New York and Pittsburg costs the Government over $110,000, and more than three times this sum is paid for carrying the mails in them. This road also receives some $30,000 for special facilities. If we divide its gross receipts from passengers by the number of passenger and baggage cars employed, the annual earnings per car are found to be between $13,000 and $14,000. But if we divide the receipts for mails on the main line between New York and Pittsburg by the number

of post-office cars, the annual earnings of each car are $40,000. No allowance is made for the enormously greater expense of the passenger business.

It can hardly be contended, from the foregoing statement, that the Post-office department conducts its expenditures with so great financial ability as to justify any popular enthusiasm over the proposal to commit the telegraph to its charge. Its methods of raising revenue, however, are of a still more discouraging character. Practically, its entire income is produced by the sale of postage stamps. There are, in general, four rates of postage; one upon all matter inclosed in sealed wrappers, and upon all matter, whether written or printed, containing anything of the nature of personal correspondence, which we shall speak of hereafter as letter-postage, and reckon at the rate prevailing in 1882: one upon periodical publications, or newspaper postage; one upon other printed matter, or book postage; and one upon merchandise. These rates are as follows:

Letter-postage, 3 cents a half ounce, or	96	cents	a pound.
Newspapers (with certain exceptions),	2	"	"
Books, 1 cent for 2 ounces, or	8	"	"
Merchandise, 1 cent for 1 ounce, or	16	"	"

The extraordinary difference between letter and newspaper postage can be justified by only two arguments: the first, that the transmission of letters and sealed packets is far more expensive than that of papers and unsealed packets; the second, that it is just and desirable to encourage the distribution of the latter class of matter at the expense of the former.

As to the first of these arguments, we can determine, with a tolerable degree of accuracy, how much more it costs to carry letters than other matter. So far as the mere transportation is concerned it costs no more, for the pay is regulated by the weight of the mails and the distance they are carried, irrespective of their contents. As to cost of materials, advertising, and general expenses, they are properly chargeable to the whole business without discrimination as to its nature. The same is true of the salaries of postmasters; for in third and fourth-class offices the business is so small that in most cases the time of the officer is only partly occupied, while in offices of the second and first-class the business of handling the mails is done by clerks paid by the department, the duties of the postmaster being chiefly super-

visory in character. It is only in the expense of clerks employed in assorting the mails and of carriers employed in distributing them that any difference between letters and papers exists.

In the case of carriers, it is undoubtedly true that the number of packets to be handled is of more importance than their weight. A carrier needs more time to distribute fifty pounds of letters than the same weight of papers. He will have to make more calls, and the labor of assorting the letters for delivery will be considerably greater. The number of calls, however, does not increase in at all the same proportion as the number of letters. When letters increase in number it is only partly because people receive them who did not before; it is chiefly because the same people get more letters. As it is about as easy for a carrier to deliver ten letters at a house as one, we may conclude that it is only in the matter of assorting that letters are really the more expensive mail. When the carrier is employed in collecting, it is obviously immaterial whether he carries letters or papers. But, as the time required to cover the route is a far more controlling consideration than either the number or the weight of packages, it hardly seems worth while to make any discrimination between them. That this is so, may be conclusively inferred from the reports of the department. The average number of pieces handled daily by each carrier is a little over one thousand, of which four hundred are collected, and about six hundred delivered. As we have seen, the cost of collecting is unaffected by the nature of the mail — even the weight seems by this showing immaterial — and to assort six hundred pieces of matter is certainly a moderate labor. So far as this item is concerned we may conclude that there is no substantial evidence that newspapers are cheaper mail than letters.

By comparing the weight of the second-class mail with the results of an actual count of the entire number of pieces made in 1880, it appears that the average weight of a periodical is about an ounce and a quarter. The average weight of a letter is between a half and a quarter of an ounce. The labor of assorting the same weight of letters would therefore seem to be about four times as great as that of assorting papers. But owing to the fact that large quantities of papers are forwarded in bulk to news-agents, it will be more nearly correct to call the ratio five to one. The total cost of all clerks, whether employed in assorting letters or otherwise, is about $8,000,000. If we

allow $2,000,000 for time spent in other duties, we have $6,000,000 as the total cost of assorting the mails.

It appears from the count just referred to that the number of letters is to the number of periodicals about as $8\frac{1}{2}$ to $7\frac{1}{2}$. Offsetting postal cards against books, etc., we may consider the number of letters as approximately equal to the number of papers. We should then have $1,000,000 as the expense of assorting papers, and $5,000,000 as that of assorting letters. For a number of reasons which there is not space for enumerating, this probably gives too high a ratio of cost for letters. But, assuming it to be correct, we then find that the transmission of a given weight of letters costs only about one-fifth more than the same weight of papers, and this seems to be all the excess of postage properly chargeable to letters. As a matter of fact, letters are enormously overcharged. Judging from the count of 1880, the number of letters now sent through the mails every year is about a thousand million, and this corresponds pretty closely with the sale of two and three-cent stamps. Dividing the total weight of second-class matter by the average weight of a periodical, it appears that the number of pieces is also about one thousand million. Out of every nine letters, one will be sent for two cents, and eight at three cents, and the total postage amounts to $29,000,000. The total postage upon second-class matter is $1,565,000. That is to say, the Post-office transports 80,000,000 pounds of newspapers (allowing only 2,000,000 pounds for those sent free) for $1,565,000; and it charges for about 20,000,000 pounds of letters the sum of $29,000,000. The present Congress has listened to arguments by the representatives of the newspapers in favor of lowering their rate one-half. If the letters were sent at the same rate as the papers, the expense to the senders would be about $400,000! If the papers were sent at the same rate as the letters the expense to the senders would be about $80,000,000!

Probably it has occurred to but few dwellers in cities to wonder that those pleasant adjuncts of the breakfast table, the daily paper and the morning mail, are supplied through different agencies. We are apt to take what we are used to as part of the established order of nature. If any one has the curiosity to inquire into this matter, however, he can very easily ascertain two facts: one, that the Post-office practically excludes the daily papers from its privileges; the other, that there is no good reason

why it should do so. The first fact is very easily established. Newsmen are able to distribute papers for half a cent or even less a copy, while the Post-office charges a cent for the same service, thus driving the business into private hands. As to the second fact, the proof is equally short. The Post-office states that the average cost of handling a piece of matter by carrier is about one-quarter of a cent. The Post-office does not state, but we are able to calculate from its returns, that the expense in the larger cities is considerably less than this. It is also in itself reasonable to conclude that the Government would have an advantage in doing this business, for it has its offices and other distributing arrangements already in operation, and almost the only increased expense to which it would be subjected would be the employment during a part of the day of an increased force of carriers.

Newspaper postage not being lower because the expense of carrying newspapers is lower, it must be so upon the theory that their distribution should be encouraged by a tax upon letters. Our space permits but little comment on this theory. Either letters and papers are received by the same class of persons, in which case there is no reason why fair rates should not be charged for both, or they are received by different classes, in which case there is no obvious reason why one class should pay for the reading-matter of another. The truth is, the Government subsidizes the press without discrimination as to its contents. The *Police Gazette* and the *Church Journal* are equally encouraged. The chief benefit goes to advertisers who have succeeded in making the letter-writing public pay their postage for them, and to the publishers of cheap stories, who, as the covers of their books show, have somewhat stretched the meaning of the term periodical. But whatever may be the theory upon which these rates are established, it can afford no explanation of the rates upon fourth-class matter, or merchandise in general. It is undoubtedly convenient for gentlemen residing in Dakota to have their boots sent to them by mail from Massachusetts, as is sometimes done, but it is difficult to understand why letter-writing should be taxed to maintain this accommodation. It would be intelligible if the Government were to charge persons who wish to send their boots through the mail a somewhat higher rate than it charges for letters, but it is beyond comprehension why it should charge them only one-sixth as much.

It is a remarkable fact that many, perhaps most, of those who are desirous to have the Government assume the charge of the telegraph, do so upon the ground that the charges of private corporations are inequitable. We are not concerned to defend the system of charges adopted by these corporations, whether for freight or messages, but it is certainly not more inequitable than the policy pursued by Government. The transportation companies charge "what the business will bear," but they are exposed to competition and have at least no legal monopoly. The United States Government, however, not only charges an excessive rate upon a certain class of packets, in order to carry others at a loss, but it prohibits, under heavy penalties, the transportation of this obnoxious class, the entire personal and business correspondence of its people, except in its own mails. Having thus secured an absolute monopoly, at excessive rates, it refuses compensation to all who may suffer by the negligence or misconduct of its servants. The monopoly may be justified, but only if conducted upon equitable principles.

In the management of the Post-office, as of any other business, a Government labors under certain disadvantages. The officers whom it employs can have no pecuniary interest in the economical management of its affairs. On the contrary, a great many persons, as well as its officers, are pecuniarily interested in its extravagance. In order to protect itself against dangers from this source, it is absolutely necessary that the duties of its employés should be regulated by precise laws, and that these laws should be carried out into the smallest details. Even an intelligent officer can do little to improve the service. He has no freedom of action.

The following statement, whether true or not, taken quite at random from a newspaper, illustrates the necessary business impotence of a Government office:

> "The additional cost to the Government which resulted from putting on a special Sunday train to carry the Philadelphia newspapers to Harrisburg will amount to $750,000. This arises from the fact that an agreement was made to reweigh the mails on the Pennsylvania Road if the train would be furnished. That made it necessary to reweigh the mails on all the trunk lines going out of Philadelphia, although this would not have been necessary otherwise for three years."

We have exhibited the business methods of the Post-office at such length, because the impression prevails that it is well

managed. Rowland Hill found that a similar impression was general in England when he began to agitate his celebrated reforms. Although our Post-office is not in so bad a state as that of England forty years ago, it is certainly not desirable to add to its burdens until it is reformed. To place the telegraph in charge of the Government can be justified only upon the ground that it will be likely to manage it better than it does the post, or else that the general interest imperatively requires the change to be made. We shall briefly state some reasons for supposing that the Government will be very much less successful with the telegraph than with the post, and for holding that public interest will be prejudiced by the change.

It was long ago observed by Adam Smith that companies may succeed in business "when the operations are capable of being reduced to a routine, or such a uniformity of method as admits of no variation." The truth of this remark is borne out by the preceding examination. The routine business of the Post-office, the collecting, assorting, and distributing of the mails, is and always has been well done, while the raising and expenditure of revenue is evidently ill-done. Whenever the operations of Government require the expenditure of capital in permanent works, there is always a terrible waste. The Post-office requires very little expenditure of this kind; but with the telegraph the case is far otherwise. It is not easy to tell what amount of capital has been really invested in the business, but it can hardly be less than $50,000,000, and it may be double that sum. A very large part of this is invested, and must continue to be invested, in patents, a class of property which it would be particularly undesirable to have the officers of Government concerned in. The art of telegraphy is highly progressive, and to introduce the routine which is the only safety of Government, would be fatal to its further progress. It is not easy to see how the Government could begin its operations without either confiscating or purchasing the patents under which the business is now carried on. To confiscate them would be an odious act of injustice to private persons; but to purchase them would infallibly occasion a frightful expense to the public. The mere transmission and delivery of messages could be performed as well, although not as cheaply, by the Government, as by private persons; but the remainder of the business could be done only at far greater expense.

In another respect there is a material difference between the post and the telegraph. The expense of transmitting the mails does not increase in nearly the same ratio as their volume, and it is principally owing to this fact that the Post-office can make so good a showing as it does. But in the transmission of despatches, the volume of business and the expense of doing it increase together. To send one hundred letters from one place to another costs the Post-office very little more than to send one letter. But to send a hundred despatches takes an operator nearly a hundred times as long as to send a single despatch. Every despatch must be written out, and many must be retransmitted. The fixed charges are not correspondingly increased, but the expense for operators is much the most important of all charges. At the small offices the operators are usually engaged in other employments, and if the number of despatches increases, they must relinquish these employments and the pay derived from them. At the large offices the operators are constantly occupied, and if there are more despatches, there must be more operators. The number of lines must also be increased in nearly the same ratio as the business.

A fundamental condition of success in telegraph management is the expeditious delivery of despatches. The present method of delivery by letter-carriers sent out at regular intervals would be totally impracticable. No one would consent to wait several hours after a message had arrived before he received it. Hence, a carrier can deliver but one or two messages on a trip while he can deliver a hundred times as many letters. The carriers employed by Government get between $800 and $900 a year, while those employed by the telegraph companies get $200 or $300. If the Post-office is to employ carriers at as economical rates as the companies, it must hire and discipline a corps of small boys—certainly one of the most interesting exhibitions of paternal government that the world will yet have seen. It is never wise to prophesy, but if any prophecy could be safe, it would be that the United States will fail in the contest with the small boy of his country, and be compelled to employ adult messengers, or at least to pay the wages earned by people of discretion.

We should be glad, if space allowed, to state some of the results of governmental management in England, but it is impossible to do more than mention a few suggestive facts. The English

Post-office produces a net revenue of nearly fifty per cent., or almost $17,000,000 per annum. The telegraph, however, is operated really at a loss. The apparent surplus is not a real one. If the Government proposes to buy out the American companies, it is to be borne in mind that the capital of the English companies was about $12,000,000, or $13,000,000, and that it cost the Government over $40,000,000 to buy them out. The Government estimated the cost of the required extensions at about half a million dollars. It proved to be twenty-five times that amount. It was expected that the expense of management, salary account, etc., would be less, when the Government had the entire control, than when it was scattered among a number of companies. The expense has proved to be greater. The Government announced, at the outset, that it did not desire a monopoly of the business. It had hardly begun operations before it prohibited all competition.

This last circumstance suggests some practical considerations which are of fundamental importance. If the Government of the United States is to go into the telegraph business, three questions will meet it upon the threshold. Will it extend its lines all over the country, or will it confine them to a few favored regions? Will it have a monopoly, or allow competition? Will it hire or buy the existing lines, or erect its own? And back of these is a still more formidable one — will it manage the business upon business principles, charging equal rates for equal services, and making the charges pay the expenses, or will it delude the people by low rates, making up the deficiency by other taxation? The first of these questions can be answered in but one way. The only justification for the interference of Government is that the interests of the whole people demand it. It must be maintained that it is as much the duty of the Government to enable all its citizens to communicate with one another by the telegraph as by the post, and as non-paying post-routes are supported on this ground, so must non-paying telegraph routes be supported. The answer to the first question takes with it the answer to the second. If the Government allows competition it must lose money. The private companies will abandon to it the non-paying routes and confine themselves to the paying routes. But the only possible way in which the system can be made self-supporting is by applying the profits made upon the paying lines to the support of the others. When

these profits are destroyed by private competition, the deficiency must be made up by taxation. A private company can discontinue a station that does not pay, and meet competition on the paying lines by lower rates. The Government could do nothing of the kind. It would be obliged to do the losing business, and competition would rob it of the profitable business. It may begin, like the English Government, with disclaiming all designs of monopoly, but it will end either by abandoning the enterprise or excluding competition. If the answers to these two questions are correct, that to the third ceases to be doubtful. The Government must buy out the existing companies. Considerations of justice forbid that it should prohibit them from prosecuting their business, and business considerations forbid that it should allow them to do so.

It is impossible to contemplate this prospect without grave apprehension. The probable expense is so vast, and the difficulty of the business so great, that the extravagance and impotence of the department of the navy would cease to be remarkable. There are emergencies when the public interests demand Government interference at whatever cost. In this case it is impossible to show that the public would not be prejudiced by such interference. It is probable that on an average every person in the country receives fifty pieces of matter a year through the mail, while he receives but one telegram. The mail is, of course, principally used by the well-to-do classes, but it is a blessing to the poor as well. The telegraph, however, is used exclusively by wealthy persons. Probably the majority of the inhabitants of this country have never received a despatch. Their simple affairs require no such expedition, and will bear no such expense. But if the Government is to assume the business, it is highly probable that the burdens of the poor will be increased, in order that the rich may enjoy a luxury without paying for it. The deficiency that will certainly result must be met by taxation, which, owing to the method in which our revenue is raised, must be paid in great part by those who are not benefited by its expenditure.

No measure that involves the increase of the civil service of the United States ought to be adopted, except under the spur of necessity. Some of the more sanguine of the civil service reformers seem to think that reform has been already secured. We are of opinion that they will be disappointed; but however

that may be, they have certainly omitted a vital element from their measures in not depriving Government officers of the right of voting. To establish permanency of tenure without this restriction, is to put the administration in possession of a standing army. It would be the height of folly for officers of Government to vote against the party in power. Their position is secure while things remain as they are; it may be endangered by a change, and discipline as well as interest will make them conservative. There is an unfortunate itching for foreign institutions among a certain class of our citizens. They desire to see the General Government of this country endowed with the attributes of the Governments of Prussia or Great Britain, regardless of the peculiarities of our constitution. These countries have a highly centralized administration. We have not, and we do not want one. The arguments for Governmental control of the railroads are quite as strong, to say the least, as those for the control of the telegraph. All such schemes are socialistic. They tend to bring upon us those dismal days of the future, when Government shall attempt to support vast hordes of employés in ruinous business ventures, making up its losses by taxing that unfortunate remnant of its citizens who are able to conduct their own affairs at a profit. We are not praising the present management of the telegraph, but the little finger of a Government bureau is thicker than the loins of any private corporation. The Western Union Company has chastised this people with whips; but the Government will chastise them with scorpions.

D. McG. Means.

PRIVATE VENGEANCE.

THE phrase "wild justice," frequently used in discussing what is called lynch law, is Lord Bacon's, and occurs in his essay "On Revenge." "Revenge," he says, "is a kind of wild justice, which the more man's nature runs to, the more ought law to weed it out." It is curious that Bacon should have hit speculatively upon an idea which many of our modern verdicts have rendered practical. "The most tolerable sort of revenge," he adds, "is for those wrongs which there is no law to remedy; but, then, let a man take heed the revenge be such as there is no law to punish, else a man's enemy is still beforehand, and it is two for one." This suggestion of "wrongs which there is no law to remedy," is a familiar one in men's mouths and in the newspapers at the present time. It is employed oftenest, perhaps, and most effectively in cases affecting the domestic relations, when affront has been offered to conjugal honor, when the virtue of a daughter has been betrayed, or the good reputation of a sister destroyed. When such has been the provocation, the majority seems ready to forget every other consideration, and to forgive the plainest violations of statutes upon the observance of which the peace of society and the safety of life are presumed to depend. This feeling may arise from a lack of confidence in judicial tribunals, as well as from a sense of the necessary incapacity of the law adequately to punish offenses against personal feelings, and especially against personal honor. Usually, however, it is a result of sudden anger, of unbridled indignation, and of impatience of the processes of the law, which, even if they were sure, must inevitably be slow and formal. When it affects considerable bodies of men, they keep each other in countenance. When, as in the case of the Vigilance Committee of San Francisco, it urges all but a mere handful of the inhabitants, there is an abrogation absolute,

however temporary, of all civil government, and the body politic comes near to a resolution into its original elements; though even anarchy pays to legal tribunals the involuntary compliment of preserving their forms.

We have the same violence repeated, under the same forms, in our very court-houses, when jurors, governed by emotion rather than law, render verdicts against all the evidence, which the judges either will not or can not set aside. When a man plainly guilty of murder is, under one pretense or another, acquitted, lynch law, in a respectable and quiet guise, is morally as rampant as when in some frontier town of the far West all the citizens turn out to hang a gambler or to shoot a horse-thief. Indeed, the latter is the more defensible proceeding, because it comes more nearly within the category of self-preservation. When no courts exist, or when the servants of the law are in league with its violators, honest and peaceable men will not be much blamed if they take care of themselves as well as they can. In civilized and well-settled communities there is little danger of such defiance; and nothing is more remarkable than the patience with which for centuries mankind, even in the most enlightened lands, have usually submitted to the delays, the pedantries, the extortions, and the uncertainties of the law. Occasionally, but not often, they have been driven to seek redress in private and unauthorized ways; and it has not seldom occurred that discontented populations have retained a lingering allegiance to the bench long after even a shadow of respect for the throne had disappeared. Respect for and confidence in the judiciary is an Anglo-Saxon instinct. It is therefore of evil import when the right of private vengeance is either theoretically or practically asserted.

Lord Bacon's caution, that the revenge "be such as there is no law to punish," intimates with sufficient clearness that in his time the modern defense of temporary insanity and the modern plea of intolerable provocation were unknown. Men did not then so readily, and by no means with such impunity, take upon themselves the triple office of accuser, judge, and executioner. Assassinations, as the State Trials abundantly show, were not then unknown in England, while the cowardly resource of poisoning, brought there from Italy and France, was occasionally resorted to. But the people of England, always open and frank in seeking restitution or revenge, even by violence, were

still religious enough not to question the prerogative of the Deity, and the words, "Vengeance is mine," had yet a restraining power and were yet reverenced in the courts of justice. While we do not propose to discuss the subject from a religious point of view, it should be considered that he who refuses to put his trust in a divine retribution, sure and sufficient, even when human laws are wanting, or have proved insufficient, substantially accuses God of procrastination, and thus, by arraigning his wisdom, really denies his existence. We have here one of the strongest evidences of the atheism of modern times and of the waning influence of Christianity. Who now, though he be a member of the church, thinks of forgiving his enemy? What now has become of that great doctrine of love, which we are told should be superior to despiteful usance?

A second consideration, rather moral than religious, is that revenge is usually inconsistent with justice, which should be calm and dispassionate, whereas revenge may proceed upon mere conjecture, and be stimulated to violence by furious and uncontrollable wrath. Collins, in the Ode on the Passions, sings of revenge with "each strained ball of sight bursting from his head." One exposed to such mania, who has been taught by long observation that courts will be lenient and that juries will condone, will for that very cause make little or no effort to restrain himself, and will not without reason expect an impunity, whatever he may do, to which he may be little entitled. He has numerous bad examples before him. In many a conversation he has declared what deed of death he would do under such and such circumstances. He has been trained to exaggerate the gravity of certain wrongs, and to think that the world demands of him some extraordinary manifestation; and he feels that should he not give reins to his rage he will be thought but a mean-spirited creature. He must commit murder or he must lose caste. He must kill or be sent to Coventry. Such is the morality which bad rulings from the bench, sophistical arguments at the bar, absurd verdicts from the jury-box, inconsiderate pardons from the executive chamber, and hasty generalizations in the newspapers, have taught him. He will be no common felon. He wears a good coat; he is of a respectable family; he is well educated; he is wealthy; he has troops of friends; and, above all, he has been really wronged, or he thinks he has been. He feels that there is a higher law which authorizes him to break

the lower, and he breaks it, while society, not venturing in set terms to applaud the deed, regards him not unkindly, and says: "Poor man! He had great provocation, and we must not be hard upon him!"

Now, we do not mean to say that all this passes *seriatim* through the mind of a man who, having been, as he thinks, dishonored, proposes to mend the matter by committing murder. On the contrary, he may rush to violence without any reflection of this sort whatsoever. What we do mean to say is that his whole moral nature has been affected disastrously by the general tone of the society in which he has lived, and by the lame and impotent results of many criminal trials the details of which he has read with avidity. Verdicts of "Not Guilty," which should be verdicts of "Guilty," and which the whole world, seriously reflecting, knows to be contrary to the law and the evidence, cannot be frequently rendered, especially in cases that strongly attract public attention, without blunting the general conscience and filling the general mind with loose notions of justice. It is the duty of the law not merely to punish crime, but to promote self-restraint, and if it fails to do the last, it will inevitably find the volume of criminal offenses increasing. Unquestionably the inefficient way in which law has been administered in some parts of this country has, with other causes, greatly impaired the power of self-control. It is not so common as it was to find men governing their passions with absolute sway. The temper of our forefathers may have been as hot as ours, but they knew better how to control it. They had passed, through the influences of civilization and religion, beyond that rude idea of retribution which confounds justice and revenge. They had brought within its due limits the natural impulse to reprisal which marks the savage, who has no doubt of the perfect legality of his vengeance, and who sometimes consummates it by eating of the body of his dead enemy, as the Corsicans sometimes ate the heart of the victim of the *vendetta*. From a similar feeling arose the custom among barbarians of torturing prisoners of war.

For considerably over two centuries, society in this country, or at least in the northern part of it, seemed to have outgrown that characteristic of human childhood which strikes instinctively when it is angry. Duelling, which was bad, having disappeared in all parts of the country, assassination,

which is infinitely worse, has to a certain extent taken its place, while those whose lack of refinement would forbid them to think of the duel, with all its artificial punctilio, follow the example of their superiors, and resort to murder upon comparatively slight provocation. Morally the crime of either is the same, saving always those extenuations to which a man lacking opportunity in life may possibly be entitled. The gentleman who in a frenzy shoots the destroyer of his domestic happiness, as well as the carter who brains a rival blocking his way, may each be hanged or not hanged; but in either case the mischief is the same and proceeds from the same cause, an unbridled temper. We see this exhibited in a minor way in the quarrels of the Stock Exchange, where bankers sometimes scuffle and pound each other like the veriest blackguards of the slums. We find this exotic ferocity exhibited even by children; and if we go on as we have been going during the last generation, we may, to our sorrow, find it as thoroughly established in the next as it is among the lazzaroni of Naples, or the lascars of the East, or as it was in the Highlands of Scotland in the days of Rob Roy. National character is but an aggregate of personal peculiarities: the last may act upon the first, and the first react upon the last, until that becomes the rule which was the exception, and what was of merely private interest assumes a public importance. We are undoubtedly approaching a period in which the control of the personal passions can alone save us from something very like anarchy. This, however, is a political view of the affair, upon which at present we do not intend to enlarge. There are terrible problems to be solved; Heaven grant that their solution may not be in blood.

In considering the question of private vengeance, as we have already intimated, we have first to take into view those injuries for which the law provides no redress, or none which the world has agreed to consider adequate. At the first glance it is evident that these are necessarily few in number, because the tendency of law-making is to protect the material rights of the individual, and to redress his grievances, whenever it is possible, in a material way. The theory, for instance, is, that the loss of a wife, through her infidelity, is simply a loss of labor and service; and the seduction of a daughter is placed upon the same low ground; but all this, it is evident, is merely a fiction of the law. It is all that it can do. Really, in either case it has nothing to

offer which an honorable man, under such a burthen of distress, would care to accept. Upon the first revelation of his dishonor, for such he feels it to be, the wretched man, the sport of a hundred conflicting emotions, resorts, as by a blind impulse, to the readiest resource, and, spurning the slow processes of the law, wreaks his vengeance upon the guilty head of the offender. Nobody may say that this is wise, nor, indeed, that it is absolutely just; but anybody may say, with perfect truth, that it is simply natural. To kill is quickest and most convenient. But this would be equally the impulse of the savage. Have religion, wisdom, philosophy taught this outraged man nothing? The religious man would remember the commandment, "Thou shalt not kill." The wise would remember that another crime would not in the least lessen the offense, and would only increase that publicity which is one of the sharpest stings of the whole affair. The philosophical man, with an intuitive feeling that he had made a mistake, and that the love of his heart had been foolishly bestowed, would profit by the experience and nerve himself to bear with indifference the gossip, pitiful or contemptuous, of the world. Making all due allowance for the infirmity of human nature, even under the best conditions, it still remains that a desire for revenge, amounting to a homicidal frenzy, is neither religious, wise, nor philosophical. There is nothing, therefore, to make its indulgence anything less than criminal. The commission of any crime argues a degree of intellectual weakness. If the brains of thieves, defaulters, and common cheats were properly balanced, such characters would not find themselves so often in the penitentiary. In these days of wild political notions many a deluded speculator may argue himself into a belief that property is theft, and that a portion, at least, of the estate of his neighbor belongs to himself; but if he carries his theory into practice and helps himself to what he deems a restitution, he is locked up in spite of his fine dialectics. The law, while it has not been regardless of the weakness of man, and sometimes makes for it considerable allowances, must still, in the nature of things, presuppose the responsibility of every criminal. In the case under discussion it has fixed the punishment of the adulterer. There was a time when it would have been capital, but the wisdom of the law has mitigated that penalty; and he who undertakes, of his private motion, to make it capital again,

sets himself above the law, at his own risk, and should suffer accordingly.

The various forms of private vengeance which have become common in this country, are in many respects allied to the Italian vendetta as it existed and may to some extent still exist in Corsica and Calabria, and with modifications in Naples, where, as has been said, "it is reduced to rule and recognized by public opinion." It originated in Italy, no doubt, from a feeling of the inadequacy of legal tribunals to avenge personal wrongs, and from the fact that such wrongs were of an artificial character, and not to be righted by any possible judicial proceedings. This matter of personal honor is a curious one, and might repay discussion if there were opportunity for it here. It is complicated in Italy by a feeling of family honor, and feuds thus become hereditary; while if a woman be seduced, the duty of revenging the wrong falls upon the nearest male relative. Though the violence of the Italian vendetta has been considerably reduced, it is said that in Naples several persons are found daily stabbed in the streets. Not one of them perhaps has been robbed; the killing has been purely a matter of personal vengeance. The assassin, too, is protected by a popular sentiment which would make it infamous for any person to give evidence against him. Even when a victim has been wounded and recovers, though he knows very well who was his assailant, he never denounces him. His lips are sealed by an unwritten code. In many cases fair warning is given the offender. The whole bloody irregularity is most regularly conducted, and the very beggars who assassinate do so with a chivalry which contrasts strangely with their barbarism. This, then, is comparatively an elevated form of assassination. It is resorted to only after fair warning, that the offending party may not be taken unawares. The vendetta in this country, not only upon the frontier, but in civilized towns and cities, has some of the cunning treachery of the aboriginal tribes. Its victims are shot down suddenly in the street, in their own homes, in the corridors of hotels, in the carriages of railways, on the exchanges, or while they are traveling alone upon the highway. He who knows that he has, by any violation of an extra-judicial code, made himself amenable to this method of revenge, may well walk in fear and trembling. Often it happens that men must live in a kind of mutual fear. When Fisk

was shot in New York it was by one who thought that Fisk intended to shoot him. The looseness, the uncertainty, the recklessness, the possible misapprehension of this form of vengeance, apart from higher considerations, is its condemnation. To this we must add its radical inequity. The assassin proceeds, it must be admitted, upon a perfectly just idea. There is no possession of such value to a man as his life, and there is good reason why we should pray to be delivered from sudden death. Capital punishment, which we often regard as necessary for the sake of example, may or may not be best defended logically from that point of view; but it rests upon something higher — upon the intrinsically precious character of life itself. The Mosaic code, so often quoted in defense of the gallows, was based upon this. Those who shed man's blood must give their own as the only adequate reparation. This alone was right. This alone could satisfy the demands of justice. This alone could be pleasing in the sight of the All-Just. Strangely mixed up with wrath for the loss of honor, with a feeling of having been cheated at cards, with disappointment at the adverse termination of a lawsuit, with anger at the application of opprobrious epithets, at the loss of a wife, at the ruin of a daughter, is this recognition, even by the least cultivated mind, of the value of life. To take it from an enemy is the only revenge worth having. In that way, and in that only, can the fierce feud be adjusted.

It may seem paradoxical, but we are obliged to confess that in this feeling of the value of life, entertained by those who would most recklessly and rashly destroy it, we find the highest hope of a mitigation, if not an abolition, of the evil which we have been discussing. By a parity of reasoning, those who think that the unlawful taking of life is the highest revenge which is within their power, may all the more certainly be brought to a sense of their own error when they find that society agrees with them in their estimate, and will expect them upon the gallows to abide by it. With every homicide unpunished life grows cheaper and cheaper, so far as facility of vengeance is concerned, and yet more and more important as murder becomes safer and safer. The business of our tribunals is to raise it in the estimate of mankind. For this judges and public prosecutors are appointed and juries are impaneled. For this prisons are built, gallows erected, and the whole machinery of the criminal courts put in motion. When we talk of the duty of making

life safe, we mean that it should be made not merely valuable but valued.

In newly settled and sparsely populated territories the progress toward a regular administration of justice must be necessarily slow, but it ought not to be so in an educated and religious community, or in States which have behind them the social culture of centuries. It ought not to be so where courts of law have been long established, and where provision for the punishment of crime has been long upon the statute book. There is nothing about which so much nonsense is uttered as Trial by Jury, but the fact remains that it is a thoroughly artificial method, based upon a condition of the race which no longer exists, and absurd in many of its technical provisions. What was meant for a small neighborhood, of identical interests, can hardly suffice for a large commonwealth living under entirely different conditions. But, whatever its deficiencies, it is the best we have or are likely to have. Our trust therefore must be in juries more intelligent and conscientious and courageous. At best, selected by chance, they are merely representative. They may be no better and no worse than the community from which they are drawn. To this community we must look for that elevated sense of justice which will not trifle with grave matters nor regard outrageous verdicts with complacency. Let us hope, as the body politic is not incapable of improvement, and change for the better not impossible, that we shall not look in vain!

There is, indeed, another side of the question. Sometimes, when the inefficiency of the courts has frightened the public into a serious apprehension for life and property, there is a sudden revolt against the danger of a chronic maladministration of law. It is a mixed feeling, partly of indignation at the perversion of the forms of criminal procedure and partly of personal fear. The March riots in Cincinnati afford us a timely illustration. A murder had been committed for the purpose of robbery. The prisoner had again and again confessed his guilt. Through the cunning and adroitness of criminal lawyers he was found guilty merely of manslaughter, and there was a reasonable suspicion that the jury had been corrupted. Moreover, it was painfully evident that, through the frequent miscarriage of justice, murder had become a common crime in Cincinnati, and the evidence of this was plain enough when in the jail of that city there were not less than twenty-three persons either capitally

convicted or awaiting trial for a capital offense. It was not strange, therefore, that the most respectable citizens should assemble to consult together concerning the common safety. The meeting, under the circumstances, may have been a mistake, but if so, it was temperate, lawful, and orderly. Nothing was said which could have incited a mob if the public feeling had not been already aroused. What followed — the destruction of life and of public property, and the lamentable inefficiency of the municipal authority — is known to all. Our first impulse is unsparingly to condemn the mob, but after uttering all our platitudes about the sacredness of the law, we begin to cast about for excuses and extenuations which shall make the popular crime a virtuous sort of misdemeanor. In proof of this we have only to refer to the newspapers, which always keep as near as possible to popular opinion. All the editorial comments which we have seen have been a see-saw between censure of the jury which gave Bender his life, and of the mob which would have taken it in defiance of the law.

It is hard that tribunals which the State has established for the vindication of the statutes, and to which the majority yield a cheerful obedience, should thus betray it into a gross and dangerous inconsistency. Nothing could be more melancholy, and nothing better calculated to arouse our profoundest fear. Law should not only be just and certain, but it should also be strong, imperative, and even despotic. When its administrators become weak, hesitating, careless, or corrupt, it not merely fails in its original purpose, but it beguiles the community, actuated by the best of motives, into the perpetration of offenses against its own majesty. We may regret; we may condemn; but we ought not to be surprised. The honest and well-meaning and peaceable feel that they have been betrayed. Their ideas of right and wrong become hopelessly confused. They cease to reason. All their civilization cannot save them from going back to barbarism. They are ready to do wrong that good may come of it — the very worst fallacy which can mislead one man or many. But while we can keep no terms with their frenzy, while we have no resource but to treat them for the time being as wild beasts, it is fair that we should remember the reason of their aberration, and provide as well as possible against the recurrence of such lunacy. Two figures will occur to every rational thinker. The one is of Justice standing calm, mild, but inexorable, governed by

immutable principles of right, deciding with scientific precision, not swayed by clamor, not deceived by chicanery, and unmoved by the baser temptations. The other is of Justice, still bearing the name, and still wearing the ermine, however soiled and bedraggled, false to all the traditions of the temple which it desecrates, ready to be bought, easily deceived, reckless in its decisions, thoughtless of the consequences of its shortcomings — a weak, inefficient, tottering, and distorted caricature of the Themis to whom ancient and modern times have looked for peace, prosperity, and progress, and have seldom looked in vain. There is no safety for us except in courts which will bring us back to this old reverence, and especially there is no safety in suffering ourselves to be misled by our very virtues; since riots are only a reappearance of the same evil under a new and less manageable form.

CHARLES T. CONGDON.

THE FUTURE OF THE NEGRO.

At the close of the Rebellion it was expected that the negro race would gradually disperse throughout the United States, and lose its race identity and distinct local habitat. An examination of the census shows that during the past twenty years there has been practically no migration of the negro from his Southern home. Excepting the southern counties of Illinois, Indiana, and Ohio, in the entire territory of the North and West the annual increase of negro population has been perceptibly lower than the average annual increase of the negro race in the United States. If the great body of the race, suffering from social ostracism, poverty, and political oppression, has voluntarily remained within its present geographical boundaries, we may assume that it will remain there permanently. What are those boundaries? If a straight line should be drawn from the northern border of Delaware to the north-eastern corner of Kansas, and one from that point south to the Gulf of Mexico, nineteen-twentieths of the negro race in America would be found east and south of these lines. But taking the seven Atlantic and Gulf States, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, and Louisiana, we have a compact territory, uniform in climate and resources, and inhabited by two-thirds of all the negroes in the United States. The actual occupancy of the soil and the providential adaptation of the race to its physical surroundings, suggest that this territory will be the permanent future home of the negro race.

The census of 1880 disclosed the fact that the native white population had increased twenty per cent. in the past ten years, and that the negro population had increased thirty-five per cent. in the same time. Increasing two per cent. annually, whites will double in every thirty-five years, while negroes, increasing three and a half per cent. annually, will double in every

twenty years. Immigration of foreign or northern whites may affect the future relation of the races, but such a theory finds support neither in history nor in existing facts. Races have migrated along the parallels of latitude, their northern or southern movements being almost invariably limited by the boundaries of the isothermal belts. In the year 1882–83, 400,000 foreigners landed in the United States; of this number, only 736 settled in the seven States named above. With due allowance for foreign and northern immigration, it still seems a reasonable conjecture that, adopting the ratios established, within sixty years negroes will be in the majority in all the South, and that one hundred years from to-day they will be double the number of whites in every Southern State. The following table indicates the present and estimated future population of the Atlantic and Gulf States:

Whites.		*Negroes.*	
1880	3,814,395	1880	3,721,481
1915	7,600,000	1900	7,400,000
1950	15,200,000	1920	14,800,000
1985	30,400,000	1940	29,600,000
		1960	59,200,000
		1980	118,400,000

Amalgamation is regarded by many as a possible solution for our race difficulties. The theory has been advocated both in this country and abroad, but no one has brought to its support more thorough research and weight of statement than Canon George Rawlinson of England. After basing encouragement for distinct race amalgamation on mixtures of different family stocks of the white race, Rawlinson plainly admits that the American problem is the most difficult that has confronted a civilized people, and that, with one exception, it has no parallel in ancient history. For reasons which are evident, the advocates of amalgamation seldom cite modern instances. Examples, however, are numerous. The Griquas of South Africa, hybrids of Dutch colonists and Hottentots; the Kuruglis of Western Africa, of Turkish-Moorish descent; the Zambos of Western South America, mongrels of mixed European, negro, and indigenous American races; the Portuguese-Malay half-castes of the East Indies; the English-Maori half-breeds of New Zealand; the Dutch-Malay half-breeds of Java; the Mongolian and Slavic mixture of Russian Asia; the Portuguese and negro

population of Brazil; and the Mestizos of Mexico; all are examples of modern race fusion, but without an exception they disclose results adverse to miscegenation. In no instance does the mixed people show the mental vigor of the Caucasian parent stock, and in most instances the mental and moral condition of the half-castes is lower even than that of the inferior parent stock. The following epitome of the results of amalgamation in this country was prepared by the late Dr. Sandiford B. Hunt, upon an examination of the brains of several hundred persons, and shows respectively the state of hybridization and the weight of brain in grammes: Whites, 1,424; three-fourths white, 1,390; one-half white, 1,334; one-quarter white, 1,319; one-eighth white, 1,308; one-sixteenth white, 1,208; negroes, 1,331. Predominance of white blood increases cerebral development, while the presence of one-quarter, one-eighth, or one-sixteenth produces a brain capacity decidedly inferior to that of the pure negro. The possibility of amalgamation is a different consideration. In discussing this question, Canon Rawlinson and other miscegenists have made a common initial blunder. They have assumed that the 6,500,000 negroes would gradually disperse throughout the United States, and would be absorbed by the 43,000,000 whites. Present indications are against this assumption. The negro will doubtless remain in the seven States designated. In cities and towns of 4,000 inhabitants and upward in those States, there are 234,427 negroes and 332,834 whites, leaving for the rural and village population, 3,487,000 negroes and 3,481,561 whites. Atlanta and Augusta are the only inland cities in this entire territory, every other important city being a sea-port. Negroes are very evenly distributed among the whites, and the population is emphatically rural. This suggestion is offered: Southern estimates show that a legitimate amalgamation is slowly beginning between the races. This will continue. The negro is acquiring land, becoming educated, gradually asserting and maintaining his legal and political rights, and approaching more and more to the social level of the whites. Fifty years from to-day, in the aggregate of numbers and of wealth, the negro outside of the sea-port cities will be the superior, the Caucasian the inferior race. In the seven States the races are even now numerically equal, and a general amalgamation would produce a mulatto stock in which the negro physique and physiognomy would predominate.

Whites would be absorbed by negroes, not negroes by whites, and the brain capacity of the mixed race would be little superior to that of the pure negro. Fifty years hence, when negroes will surpass whites as three to one, the mongrel race will represent brain capacity decidedly inferior to the negro of pure blood.

The plan of exporting and colonizing the race is less practicable to-day than it was before Emancipation. The negro is a citizen, and his own consent must be obtained before he can be exported to Africa or elsewhere. He is proud of his citizenship, and it is folly to expect that he will expatriate himself voluntarily. Original suggestions as to his future can be of value only as they are justified by existing facts. The negro is here; his legal equality is declared; his home is in the South, and he evinces no inclination to leave it. Forcible deportation is impracticable; numerically he is increasing more rapidly than the whites; any general amalgamation is impossible. Amalgamation in the South is possible, probable, and in actual process of fulfillment. Hence the whites must either amalgamate with negroes, or they must migrate from the South, or they must remain an inferior element and submit to negro supremacy. The wealthy and enterprising whites will gradually migrate to the border States or to the sea-board cities, while those who have so far degenerated from their race-pride and race-spirit as to prefer such supremacy to emigration will gradually be absorbed or controlled by negroes. The policy that has controlled the relations of whites and negroes in the past has been legal and political. It has been a policy of emergencies, requiring extraordinary measures for constantly recurring crises. The future policy should prevent crises by removing, so far as possible, the causes of race conflict; and this desired result will be accomplished in proportion as the important ethnological facts and principles here considered are recognized in politics and embodied in law.

CHARLES A. GARDINER.

THE negro is physically a strong man. In his native land, where the conditions of climate and food are favorable, his stature is good, and his muscular development, though rugged and ungraceful, is sinewy, tense, and powerful. In America he

has gained greater height, more rotundity of limb, and greater ease and smoothness of movement. Nothing in the census reports indicates that the negro race in the United States will not increase in numbers. Our colored population already numbers more than six millions, and another decade will probably show an increase of at least fifteen per cent.

For fifteen years every means that Congress could devise has been supplied to the negro race to enable them to attain a condition which will protect them in all the rights, liberties, and privileges that are enjoyed by the whites. To the personal and political power of the ballot have been added the guardianship of the Freedmen's Bureau, the Freedmen's Bank and its branches, the civil rights statutes, and all the power of tyrannical courts to enforce their alleged civil rights; and still they are no stronger as a race, and probably no better as individuals than they were at the beginning of these efforts. The Supreme Court has broken down this social legislation, as being contrary to the Constitution; the financial plan has resulted in disgraceful failure; and Congress has just ascertained that the negro cannot use the ballot for his own benefit, because his "appalling illiteracy" prevents him from reading it. The latest expedient of Congress is to appropriate $10,000,000 a year to educate the children of 6,000,000 negroes, so that they can understand the government which their more ignorant fathers are engaged in conducting. We shall probably try this expedient and fail, in the States, as we have failed in the District of Columbia, where the abolition of negro suffrage has been decreed by Congress, notwithstanding the fact that the negroes in that district are of much higher average intelligence than in the States. After two or three hundred millions of dollars have been expended in the effort to educate the negro into the knowledge of the proper uses of political power, and to induce him to forget his race prejudices and vices, the same party which claims to have emancipated him will become the most active in his disfranchisement. It has begun this process in the same place where it began his emancipation, the District of Columbia.

All that has been done by Congress to elevate the negro race in the States has been to wage a conflict with the white race upon a question of caste, and to stimulate individual negroes to demand a social equality which they are not prepared to enjoy, and

which they, equally with the whites, consider an interference with their natural and exclusive privilege. Neither race desires to blend with the other, socially or physically, and Congress has not power enough to compel this union. Individuals sometimes show a desperate desire for miscegenation, but they indulge it always at the expense of a loss of the respect of both races. Congress, to maintain its own consistency upon the point of securing equal political and social privileges to both races, finding that negro suffrage in the District of Columbia was injurious to good government, disfranchised all men of all races there. Thus we begin to undo what the ballot was intended to accomplish for the negro in politics; while fraud has destroyed the effort to concentrate his financial power in the Freedmen's Bank, and the Supreme Court has relieved Congress of its assumed guardianship over his social and family affairs. Legislative remedies have failed to remove the negro race from the plane which they appear to have selected for their pursuit of happiness, in accordance with natural laws. This failure is definitive, and it is folly to repeat the attempt.

In the South the negroes congregate in dense communities. The numerous efforts to cause them to disperse into other communities have met with little success. It seems probable that the existing status will continue, and will become more permanent, as the negroes are better informed, until a change occurs through some great family movement. Increased intelligence, accumulated wealth, greater experience in business affairs, and better education in the industrial arts and in the art of government, must magnify their power and importance. But, in this country, this growth will avail but little for their advantage. Here they have to encounter personal, individual competition with the white man. The greater their personal success may be the more they will feel the pressure of caste, and their advancement in enterprises which may bring them personal honor and wealth will be checked by the jealousy of caste, so that the race-prejudice will forever remain as an incubus on all their individual or aggregated efforts. Turning to a land that has been under the seal of darkness until now, we seem to discover the natural theater for negro development, and welcome it as a door opened by the hand of Providence to the Africans who have gained the powers incident to Christian civilization while in

bondage, and are now prepared to enter upon their inheritance with the assurance of success. The Free States of the Congo open to the American negro his first real opportunity to prove himself worthy of the liberties and civilization with which he has been endowed.

JOHN T. MORGAN.

IT would require the ken of a statesman and the vision of a prophet combined to tell with certainty what will be the ultimate future of the colored people of the United States, and to neither of these qualifications can I lay claim. We have known the colored man long as a slave, but we have not known him long as a freeman and as an American citizen. What he was as a slave we know; what he will be in his new relation to his fellow-men, time and events will make clear. One thing, however, may safely be laid down as probable, and that is, that the negro, in one form and complexion or another, may be counted upon as a permanent element of the population of the United States. He is now seven millions, has doubled his number in thirty years, and is increasing more rapidly than the more favored population of the South. The idea of his becoming extinct finds no support in this fact. But will he emigrate? No! Individuals may, but the masses will not. Dust will fly, but the earth will remain. The expense of removal to a foreign land, the difficulty of finding a country where the conditions of existence are more favorable than here, attachment to native land, gradual improvement in moral surroundings, increasing hope of a better future, improvement in character and value by education, impossibility of finding any part of the globe free from the presence of white men,—all conspire to keep the negro here, and compel him to adjust himself to American civilization.

In the face of history I do not deny that a darker future than I have indicated may await the black man. Contact of weak races with strong has not always been beneficent. The weak have been oppressed, persecuted, driven out, and destroyed. The Hebrews in Egypt, the Moors in Spain, the Caribs in the West Indies, the Picts in Scotland, the Indians and Chinese in our own country, show what may happen to the negro. But

happily he has a moral and political hold upon this country, deep and firm, one which in some measure destroys the analogy between him and other weak peoples and classes. His religion and civilization are in harmony with those of the people among whom he lives. He worships with them in a common temple and at a common altar, and to drag him away is to destroy the temple and tear down the altar. Drive out the negro and you drive out Christ, the Bible, and American liberty with him. The thought of setting apart a State or Territory and confining the negro within its borders is a delusion. If the North and South could not live separately in peace, and without bloody and barbarous border wars, the white and black cannot. If the negro could be bottled up, who could or would bottle up the irrepressible white man? What barrier has been strong enough to confine him? Plainly enough, migration is no policy for the negro. He would invite the fate of the Indian, and be pushed away before the white man's bayonet.

Nor do I think that the negro will become more distinct as a class. Ignorant, degraded, and repulsive as he was during his two hundred years of slavery, he was sufficiently attractive to make possible an intermediate race of a million, more or less. If this has taken place in the face of those odious barriers, what is likely to occur when the colored man puts away his ignorance and degradation and becomes educated and prosperous? The tendency of the age is unification, not isolation; not to clans and classes, but to human brotherhood. It was once degradation intensified for a Norman to associate with a Saxon; but time and events have swept down the barriers between them, and Norman and Saxon have become Englishmen. The Jew was once despised and hated in Europe, and is so still in some parts of that continent; but he has risen, and is rising to higher consideration, and no man is now degraded by association with him anywhere. In like manner the negro will rise in the social scale. For a time the social and political privileges of the colored people may decrease. This, however, will be apparent rather than real. An abnormal condition, born of war, carried him to an altitude unsuited to his attainments. He could not sustain himself there. He will now rise naturally and gradually, and hold on to what he gets, and will not drop from dizziness. He will gain both by concession and by self-assertion. Shrinking cowardice wins noth-

ing from either meanness or magnanimity. Manly self-assertion and eternal vigilance are essential to negro liberty, not less than to that of the white man.

FREDERICK DOUGLASS.

IN my opinion, the negro will remain where he is, with only such changes as other races have sometimes made from transient motives. But he will remain as a race forever practically distinct. The feeling against the intermarriage with negroes is more intense among the whites now than it was when such a thing first became possible. It is regarded with so much disgust that when you find a white man or woman ready to marry a negro, you may be sure the negro will get the worst of the bargain.

The increase or diminution of the negro's political and social power will depend entirely upon himself. If he continues to array himself solidly against the whites, following blindly the renegade element of selfish white men, neither his political nor his social status can be much improved. As a rule, his Southern white leaders have no virtues to impart to him, and naturally he cannot hope for any favors from those whom he strives to injure politically.

He can never hope to gain anything by that kind of self-assertion which will bring him into contact with and render him more obnoxious to the ruling race. He will better himself in every respect by wisely conceding the management of affairs to those who are more competent to direct them, and by cultivating the closest friendship with the whites among whom he has to live.

So long as he suffers himself to be made a pliant political tool, casting his vote as directed from outside his own community, and refusing to identify himself with the property and intelligence of the section where he lives, his usefulness as a factor in the public prosperity will be greatly impaired, and he will be an element of danger to the welfare of society. Education cannot at once remove the difficulty.

The qualification of a servile race for the enjoyment and preservation of liberty is a slow and unsteady process at best, and in this case it is likely to be retarded indefinitely by the persistent effort to keep the negro at constant enmity with those who are most competent to train him and most interested in his advancement.

Z. B. VANCE.

For several years after the war the negroes in the farming regions of the South manifested an uncontrollable tendency to roam about the country. They considered no agreement, contract, or promise to be binding. They were restless, uneasy, and suspicious, and utterly untrustworthy as laborers. At a crisis of the cropping season, the "hands" on a farm would disappear one by one, leaving their employer to do the best he could; and the best he could do would be to hire other negro laborers, who, in their turn, would disappear when their labor was most necessary. It would be difficult to estimate the results of this condition of things. More important than the actual pecuniary losses, though these were considerable, was the irritation produced. The planters felt that they had a real grievance, and one for which there was no remedy. It was feared and predicted that the untrustworthiness of the negroes as laborers would develop and expand into a characteristic. Time has shown, however, that the restless and uneasy movements of the blacks was a natural and inevitable result of their emancipation. They were simply testing their freedom. They have gradually settled down, and whatever movement there is among them is as casual as, and of no greater importance than, similar movements of the whites. The great majority of them are reasonably industrious and economical. Their services as farm laborers are indispensable. Many of them are accumulating property, and it is probable that the example of these would tend to prevent any general migration. The negroes seem to be doing very well where they are, and if there is any dissatisfaction among them in respect of their condition, the feeling may be traced to the foolish suggestions of those who profess to believe that the African race in America ought to have reached, in two hundred and fifty years, a position that the white race has been more than twenty centuries in reaching.

The fact that the recent marriage of a representative negro to a white woman has been harshly criticised by the most intelligent negroes of the country, would indicate that the aversion to intermarriage is as strong in one race as in the other. Whenever the occasion arises, the negro is quick to draw the color line, and in some sections in the South, notably in the older cities, there are well-defined social feuds between the blacks and the mulattoes.

The political privileges of the negro in the future will be precisely what he makes them. To the extent that he manifests

a comprehension and an appreciation of the responsibilities of citizenship, to that extent will he win the confidence and respect of his white fellow-citizens. Upon the relations of mutual respect and confidence, every man's political privileges depend, if by "political privilege" is meant anything more than the privilege of voting. In order to enjoy an increase of political privileges, the negro must become a citizen, not merely by law, but by understanding, conduct, and sympathy. In this respect he must be tested by the same rules that are applied to white men. Citizenship carries with it the right to hold office, but it does not confer the office itself. Something besides citizenship is necessary to give a man influence, or to win for him the respect and esteem of his neighbors. The negro must carve out his own future, not as a negro, but as a citizen, as an individual. If, by means of education and experience, he is enabled to proceed in the spirit that should characterize every man who appreciates the responsibilities of citizenship, he will not lack the active sympathy of his white fellow-citizens.

The idea that the negro occupies a special place as a citizen has been carefully nurtured by the politicians; but it is this idea that has been more damaging to his progress than any opposition he has ever found at the South. Concessions and compromises of one sort and another are the basis of citizenship itself, and from these concessions and compromises spring the benefits and advantages of political society, of government. The negro will gain new opportunities as rapidly as he improves those that already offer.

So long as he remains ignorant, the negro cannot but prove a source of danger. Ignorance is always dangerous; it is specially dangerous where unscrupulous men are found willing to take advantage of it. The hope is, that the ignorance of the negro is susceptible of enlightenment, and of this there can be no doubt.

JOEL CHANDLER HARRIS.

THE negro will migrate, just as he has for fifty years, though not impelled by the same causes. The nucleus of the negro population of Baltimore, Philadelphia, New York City, and Boston came originally from Virginia, South Carolina, North Carolina, and Louisiana. They came by reason of manumission, by flight,

or remained when their too confiding masters brought them up on Northern soil. Since the war, there has been a constant ebb and flow of this interstate migration, and in many instances it has completely overslaughed the more stable ante-war population of the cities mentioned. The stream has penetrated far to the West and North-west, where many have gone, and where they receive higher wages than they did at the South. On the other hand, at the close of the Rebellion, many of the younger men, born at the North, went South, generally settling in the States from which their fathers had migrated. They took an active part in reconstruction politics. Of those born at the South prior to the war, a large number followed Union officers home, gained educational advantages, a knowledge of men and affairs, and have since returned as teachers and business men. Hitherto, migration has followed the natural law, and seemed confined to the younger men. Now, the impulse affects those of mature age, and the South seems, as it should be, their natural goal. The negro will not only migrate, he will also emigrate; but only when impelled by absolute poverty or despair, or when led by prospects of pecuniary gain, and not in sufficient numbers to affect appreciably his social or political status in the South. He will become, however, more and more interested in the capabilities of the fatherland. From the United States the stream of civilization will inevitably lead to Africa. The rich table-lands east of Liberia will be occupied first, and we may look for many radiating currents therefrom. It would be poetic justice to see a Negro-American civilization redeeming Africa. The antipathy formerly felt by the Negro-American to colonization has passed away. He now sees quite clearly that to civilize Africa is to exalt the negro race. Our own Government, through its Department of State, could aid in this, by appointing every diplomatic and consular officer on the African continent from among the large number of ambitious and able colored men. It would be a brilliant stroke of policy for the spread of our commerce, and for allaying the phantom of negro supremacy, while it would open up a career to many of the colored people of the country in the way of business, and give a renewed impetus to emigration. No wholesale emigration need be looked for immediately. Even if Henry Clay's wished-for bridge of boats could span the Atlantic, and the

blacks could be induced to cross in a continuous throng, the daily birth-rate, so largely increased under improved social regulations, would more than balance the daily list of emigrants. The negro's home is at the South. Reconstruction, exodus, ku-klux, Danville riots, proscription, and political trickery, all have failed to dislodge him. The white people are used to him, and cannot indeed get along without him. Though the negro is at the mercy of the white people at present, and is easily managed, cheated, cajoled, and ruled by the old master class, he yet thrives under it all. He is educating his children, has a hold now on the land, and daily grows stronger in every element of good citizenship. A century hence, he will be the ruling power at the South, unless all human experience, and all laws, social, economic, and statistical, are at fault. It is to the negro's interest to remain at the South, and even to encourage his Northern brother to come there also. The highest colored population in any Northern State is 65,000 in Pennsylvania; Ohio comes next, with 63,000. The lowest is Oregon, with only 346. In fact, there are only seven Northern States that have over 20,000 negroes.

The tendency at the South will be toward the predominance of pure blacks. This is already observable. The tendency of blacks to assert themselves, while resulting disastrously under reconstruction, would operate far otherwise under more normal conditions. In only isolated cases will the negro seek to marry with white people. Few negroes who have any real pride of race ever do. In all experience of forced cohabitation before the war, the white was the persistent miscegenationist, the black was the victim. Statistics and the observation of travelers inform us of the decrease of the numbers of mixed bloods. They must be absorbed into the white society, where they actually belong. But for caste-prejudice, they would long since have disappeared. When, socially and politically, the negro is in the ascendancy at the South, the far-seeing, ambitious, and by no means fastidious, white politicians will eagerly seek alliances among the black leaders. To many this is an abhorrent thought; but it is inevitable, possessing only this palliative, for those who cherish a pride of race, that it never will become as common under freedom as under slavery. The negro of 1984 will be a very different person from the negro of to-day. The Northern negro differs from his Southern brother by habit and training, as

negroes reared and educated abroad surpass those dwarfed at home by imperfect education and caste feeling. A number of young colored men are now in training abroad, whose parents have amassed fortunes since the close of the war. Already European alliances have been formed, and many cultured men of our race are living happily on Southern plantations.

As a political factor, the negro has not been an undoubted success. He is too credulous, too easily swayed. With him politics was a sentiment, not a business. He is readily thrown into a panic, quickly demoralized, and not prompt to seize an advantage. His failure in reconstruction was by no means blameworthy. He merely did as well as any crude, untrained race could do, and he contended vainly against the acquired instincts and trained methods of centuries. For a time the negro must be an unimportant political factor, although it were a difficult task to convince him of it. But he will not always be so, for he is quick to learn and is a natural politician. Our misfortune lay in the inverse order of our political and social development. The one which should have preceded came last. For the past fifteen years the two have traveled in nearly parallel lines. To-day they are rapidly changing their relative places. Our social development is properly leaping ahead of the political. With greater discipline, less imagination, sharpened selfishness, and the augmented confidence resulting from a solid constituency, the negro politician of the future will meet his antagonist with a different spirit and keener weapons, although our higher and true development would be enhanced, could we be outside of politics for ten years at least.

Wealth, superior intelligence, and a more vigorous demonstration of the absurdity of race-prejudice, will lead to higher social conditions. Men of color are received abroad on the plane of merit, because no stain of recent servitude attaches to them. At the South our social advance must first come as a coy concession to us, while in many instances the concession will be on the other side. By social position in this connection I, of course, allude only to such recognition as mere law can supply and regulate, as unimpeded travel, the right to entertainment at public places of amusement, and admittance to schools supported by public funds.

The negro will help his cause by a wise, cautious, temperate use, both of assertion and concession; by tact which is a resultant of these two powers in social dynamics. There are many cases

where the negro needs more self-assertion. He has often conceded away all his rights, and with these the respect partially entertained for him.

There is not an intelligent economist, nor the merest tyro in political ethics, who, putting aside race-prejudices, can say the negro is not a useful citizen to-day. Every adverse opinion hitherto held about him — Jefferson's, Madison's, De Tocqueville's, Grimke's, Nott's, and Gliddon's — has been quietly disproved, and apparently through no effort of his own. He is self-supporting; he adds to the wealth of the country; he is accumulating property; he is gradually buying up the land from which Southern short-sightedness drives out Northern enterprise. Unconsciously, not knowing he was on trial, he has come up to every reasonable requirement, and dissipated every just fear. He did not rise and murder during the war. He saved nearly $50,000,000 after the war, though starting with nothing, and white men robbed him of his savings. He has been more thrifty and patient as a freeman than ever he was in slavery, as his improved cabin, the statistics of the cotton crop, and the records of his trade with the North all show. He is a better customer to the North now than the Southern white was before the war; his needs under freedom are greater. It is he who buys the Yankee notions, the best cloth, shoes, clocks, and household comforts sold at the South. His social state is slowly consolidating; his church system is steadily assuming coherence and becoming effective; his societies, charitable and otherwise, are multifarious, useful, and beneficial. Freed from the corrupting influence of politics, he goes into business, and keeps a store, or works in the mill or the tobacco factory. He is no longer satisfied with the one-floor cabin; decency, pride, ambition, impel him to own a house. All along the route from Washington to New Orleans one sees these houses, mostly paid for, some paid for two or three times over, and filled with comforts and conveniences unknown to the planter of twenty years ago.

In all this I leave out the number and influence of the educated negroes, who are now scattered broadcast in the South, thanks to Northern philanthropy. I take no note of upward of a hundred journals owned and edited by negroes. The elements which go to prove the negro a useful factor in the Republic are such as we had no cause to expect from his antecedents. His drawbacks are the concomitants of slavery, the results of the

blunders of reconstruction, the direct effect of forces outside of himself. Intemperance, a low standard of morality, an emotional rather than reflective system of religious ethics, a partial divorce of creed and conduct, and a tendency (by no means confined to negroes) of superficial learning and of the less desirable elements of character, fitness, or brain, to force their way to the front, are evils which every honest negro must deplore, while sadly admitting their existence. But he who draws from these facts a wholesale inference derogatory to the entire race had better obliterate the histories of France, England, Germany, and Russia, or eliminate from their pages the scandals of social life, the vicious priesthoods, the bribery and corruption in high places, the venality, immorality, and degradation which have characterized these more favored races at various stages of their development. The most hopeful sign for the negro to-day is his indisposition to be carried and cared for. He aspires to own his house, manage his own plantation, conduct his own business, teach his own school. It is not his fault that he cannot rid himself of the professed philanthropist and professed politician. They will insist, despite the negro's protest, upon praying, thinking, preaching, voting, and caring for him.

RICHARD T. GREENER.

THE power to forecast with certainty the destiny of any particular portion of the human family, or any constituent element in a great nation, has not been conferred upon the wisest of statesmen or the profoundest of social philosophers. Such a problem is liable to be affected by so many indeterminate influences that the most skilled judgment may be found at fault. But there are principles of human nature and tendencies of civilization, so constant and uniform in their operation, that he who rightly regards them is not likely to go far astray in predicting the future of the American negro. In dealing with this problem, I must be understood to assume that the Republic of the United States will remain true to the principles of liberty, equality, and fraternity, which are at once its foundation-stones, the breath of its life, and the secret of its growth and power.

The negro, in his essential being, is not, as many seem to suppose, an exceptional creature, but a legitimate member of the

great human family, endowed with the same attributes and capacities as his Anglo-Saxon brother. His humanity, in spite of the accidents of birth, climate, and complexion, is identical with that of his whitest neighbor. He is endowed with all the natural elements, whether intellectual or moral, of a true manhood, and capable of the highest achievements in scholarship, culture, and refinement. American civilization has redeemed him from slavery, invested him with all the rights of a citizen, and made accessible to him all the sources of human knowledge; and we may accept his eagerness to avail himself of his new advantages as a sure augury of his future attainments and triumphs. He only needs time to outgrow the scars which slavery inflicted upon him, and make himself a man among men. The transformation may be slow, but not on that account is it the less certain. Moreover, the tendencies of the time are toward the obliteration of race distinctions and a union of all branches of the human family in a common struggle for mutual protection and development.

For these and other equally cogent reasons, I hold that the negro of the United States is not at all likely to emigrate from the land of his birth in the vain hope of placing himself in more favorable circumstances than those which surround him here. Those who indulge the dream that he will betake himself to some region of the earth where he can build up a nationality of his own color, mistake his character, and are sure to meet with disappointment. He is here, in the land of his birth, the land of freedom and equality, and here he will remain, in spite of the contempt of the vulgar and the persecution of the proud. I am also certain that, in proportion as the negro qualifies himself by education and refinement to share the privileges and amenities of cultivated society, he will find the color of his skin no bar to these advantages. Gradually, but surely, the vulgar "prejudice of color" will fade out of the minds and hearts of people of culture, and a black skin, no more than red hair or blue eyes, will be regarded as a badge of social inferiority. Nor do I shrink from avowing my belief that when this day arrives, marriages between whites and blacks, if they do not become common, will be far more frequent than they are now, without exciting either wonder or opposition. Ignorance, whether among citizens of a white or a black complexion, will always be a source of danger to the country; but I am confident

that the day is not very distant when the negro will be a useful and valuable factor in the body politic. His advancement will not be the fruit either of concession or self-assertion, exclusively, but of a wise resort to the one or the other method, as circumstances may require. We may in this particular safely confide in his own judgment and tact, which have been so well illustrated in the past.

OLIVER JOHNSON.

THE negro has come to America to stay. As yet, neither migration nor emigration has taken place to any appreciable extent. A map based on the last census, which shows in colors the race localizations of the country, has for its blackest division the Southern Atlantic slope and the Gulf States. There, climate and conditions seem to fix the home of the negro; and that he thrives where the white race deteriorates or fails to improve, may be shown by contrasting corresponding types of the races along the swampy banks of the Mississippi, in the Louisiana lowlands, or in the malarious tide-water country on the Atlantic coast. In the higher country back from the coast, the census map indicates a marked difference; better physical conditions tend to promote an increase of the white population and a growth in civilization, and furthermore it is noticeable that the best Anglo-African civilization is outside of the black belt. Throughout Virginia, in the limits or vicinity of the principal Southern cities, wherever in Tennesee and Georgia, the Carolinas and other States there is enterprise, the negro gets his share of work and is quite as thrifty as the laboring whites, buys land and builds, and is rapidly getting his portion of the broken-up Southern plantations. The most important and hopeful fact about the freedman is his desire for land and education, and this, in spite of the fact that vast numbers of the race are idle and thriftless, will, I think, fix him with us forever. The empire of labor which slavery gave the negro, he means to keep.

Intermarriage with whites is practically as much discouraged by negroes as by their pale-faced brothers. It will amount to nothing, although, through slavery, miscegenation is almost an accomplished fact. Outside of the Gulf and the Southern Atlantic States, the pure negro is to-day the exception. As a result of their changed relations, the tendency to a mingling of

races seems much less strong than under the false conditions of slavery.

The political and social privileges of the negroes in the future will depend on their development, which, in the main, will be in direct ratio to the efforts made for their improvement. Their present unfitness, as a class, to use their power, is such that they will not be allowed, even in the States in which they have a majority, to assume political control. This is clear, confessed, and declared to be necessary; but it plainly tends to destroy republican forms of government, and, if long continued, will react terribly on those who tamper with the ballot-box. It is hard to see ahead. The negro has lost much ground politically since the days of reconstruction, but in Tennessee and Virginia he has of late held the balance of power, voting for paying State debts in the former, and for repudiating them in the latter State. His rapid increase in numbers, and therefore in power, is making him an uncertain and dangerous factor in politics. The social question will take care of itself. There is nothing to prevent individuals or classes from choosing their social distance from other individuals or classes; there can be no intercourse without the consent of both parties. In society, as in any form of commerce, when people have what is wanted little account is made of their race characteristics. Accomplished and successful negroes will find their place; colored millionaires will not suffer much from prejudice. In both colored and white society there is a tendency to distinguish between black and "bright" members of the race, which will not be without its effect in the future. In a middle course of action lies the negro's best hope: he should make the most of himself, but, if possible, forget grievances, and obey the dictates of common sense.

S. C. ARMSTRONG.

WITHOUT claiming for the negro any special local attachment, it is safe to assert that he is totally void of that spirit of enterprise which induces man to endeavor to better his fortunes in strange lands. By nature and by force of circumstances he is unambitious; satisfied with a modicum of success in all his undertakings, he is not inclined to adventure. His preference, as a race, is most likely to be for agricultural pursuits, and as the

Southern climate must always be congenial to him, it is more than probable that the South will continue to be the head-quarters of the race and the theater of its achievements. Whatever of excitement his nature demands, is readily gratified by the mild recreations of rod and gun. Beyond the annual local flittings, begotten oftener of financial failure and disappointment than of innate restlessness, his desire to explore unknown regions lies dormant, if, indeed, it exists at all. The Kansas craze might be quoted in contradiction of this view; but as that hegira was simply the outcome of false and alluring promises, which had its sad and prompt sequel in the homeward travel of many a foot-sore and heart-sick dupe, it counts for naught in the way of argument. Of course, as educational advantages increase, there will be many and notable departures from the general rule here laid down.

The question of miscegenation bids fair to work out its own solution according to that dictate of nature which has the preservation of the unities for its object. The probability of intermarriage with the white race will grow less as time passes on, and the freedman comes to recognize himself as something more than a chattel, manufactured for the exclusive use and pleasure of a superior race. With the cultivation of his mind and the expansion of his intellect, his self-esteem will be increased, and the ban which nature herself has placed upon the commingling of the races will be strengthened by their new-found and self-respecting pride of race. Thus, while his political and social privileges will undoubtedly increase, and will be willingly accorded him by the Southern whites, when he shall have become fitted for their exercise, the idea of intermarriage must always remain a remote possibility.

The necessity for improving the moral and mental condition of the negro being granted, it would be well to consider the most efficacious manner of so doing. In the present illogical condition of his faculties, concession and submission would be controvertible terms. He has never come to place so high an estimate upon his own brain-power as to pit himself against the palpable superiority of the educated race; hence, positive assertion and direct guidance on the part of those who would improve his condition, or win him to a just conception of his rights and his responsibilities, must for some time to come be deemed the wisest and truest policy to pursue toward a people kept humble

by consciousness of their own deficiencies. Given that degree of education which the average mind attains under the common-school system of the United States, plus the negro's imitative nature, which will always cause him to take the social and political hue of his surroundings, and there is no reason to apprehend that he will ever become a source of danger to the nation, in which at present he is a very knotty problem.

J. H. WALWORTH.

THE negro may migrate, but he will not emigrate. He has been here more than two hundred and fifty years, and quite as much as any other class he is imbued with our religion and with our ideas, while he is largely interwoven with our material interests and prosperity. Every attempt at his deportation to the tropics or elsewhere, or his segregation on this continent, has signally failed. Every fact in his history, every known trait in his character, indicate that he will remain where he is. But while remaining here, he will also continue as a distinct race. Negroes have a settled antipathy to intermarriages with whites. The whites are so saturated with prejudice and the idea of the negro's inferiority, and so oblivious to the fact that he is now free, with no limit to his pursuit and enjoyment of life, liberty, and happiness, that everything is done by them to discourage, restrict, and prevent such marriages. But such arbitrary and unnatural restriction, founded on prejudice, is wholly out of place in America, and ought to be out of date in any civilized country in the last quarter of the nineteenth century.

As a colored man, my observation — somewhat extensive, both on the Atlantic and Pacific shores — leads me to the conclusion that the negro's political and social privileges will increase. The tendency in this country is toward a recognized equality of all political rights and public privileges. The great underlying principle of the Government is that all men, without reference to their origin, shall have and enjoy the right and opportunity to become good citizens, and to make the most of themselves. Without this, America would hardly be more than the Old World was before the French Revolution. We are none of us greater than events, and we cannot, if we would, annihilate or subvert the law of sequences.

The negro will win favor both by assertion and by concession. A reasonable view of the situation cannot separate these two methods. He must concede as well as assert, but always in the light of acknowledged American principles and of that higher law, public sentiment. He is only too willing to concede, but he must, and by instinct will, assert what both written and unwritten law accord to him. Neither abject concession on the one hand, nor boisterous assertion on the other, will avail him. He must observe the golden mean. Though as yet he is a source of danger, he will ultimately be a useful element in the body politic. The danger arises from his imperfect appreciation of the responsibilities of the ballot, and from the cunning and violence that are resorted to in the South to deprive him of it. Aside from this, consistent testimony shows that he is peaceable, industrious, and progressive in every respect. The negroes constitute one-eighth of our population. No available tonnage could take them back to the land of their forefathers. They are loyal, patriotic, and thoroughly American, and all they ask is fair play.

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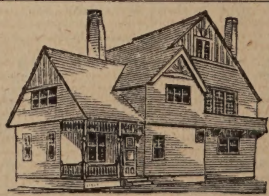

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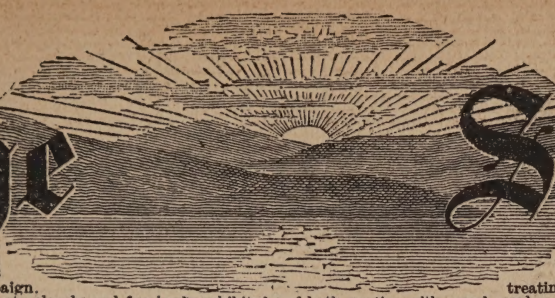

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II. The Origin of Comets . . . . . RICHARD A. PROCTOR.

III. Are We a Nation of Rascals? . . . . . JOHN F. HUME.

IV. Man and Brute . . . . . GEORGE J. ROMANES.

V. The Drift toward Centralization . . Judge EDWARD G. LORING.

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VII. Prohibition and Persuasion . . . . . { NEAL DOW, Dr. DIO LEWIS.

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Single number, Fifty Cents. Yearly subscription, Five Dollars.

Entered at the Post-office at New York, and admitted for transmission through the mails as second-class matter.

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THE

NORTH AMERICAN REVIEW.

AUGUST, 1884.

No. 333.

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NEW YORK:
No. 30 LAFAYETTE PLACE.
1884.

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1884.

NORTH AMERICAN REVIEW.

AUGUST, 1884.

ART.		PAGE
I.	THE ENCROACHMENTS OF CAPITAL. By Justice JAMES V. CAMPBELL.	101
II.	THE ORIGIN OF COMETS. By RICHARD A. PROCTOR.	109
III.	ARE WE A NATION OF RASCALS? By JOHN F. HUME.	127
IV.	MAN AND BRUTE. By GEORGE J. ROMANES, LL. D., F. R. S.	145
V.	THE DRIFT TOWARD CENTRALIZATION. By Judge EDWARD G. LORING.	155
VI.	THE AMERICAN ELEMENT IN FICTION. By JULIAN HAWTHORNE.	164
VII.	PROHIBITION AND PERSUASION. By NEAL DOW; DIO LEWIS, M. D.	179

NORTH AMERICAN REVIEW.

No. CCCXXXIII.

AUGUST, 1884.

THE ENCROACHMENTS OF CAPITAL.

It is one of the maxims of Machiavelli, in which most public writers and jurists agree, that in order to preserve soundness and health, all nations should often go back to first principles. And the reason he gives is that each form of government is usually framed in the outset on the principles which belong to its best condition, and that all departures to any serious extent are unnatural, and therefore dangerous. This notion is more familiar to practical statesmen than to theoretical reformers, for these are very apt to insist on putting in the frame-work what, if of any use at all, is only a temporary device, in no way essential to national life. We have our periodical fits of fidgety doubts and fears, and society is alarmed by ideas of ruin and disruption, as agitators come out with threats or prophecies of evil. But the same shrewd observer, looking back over history, declared that the multitude, with all its shortcomings, is wiser and more constant than princes. And inasmuch as every people must have a government of some kind, and must, at any rate, fix by choice or acquiescence the rule under which they live, we have no great reason to feel anxious that our social scheme will be much disturbed by any such troubles as timid people look for. We have had what is usually a thorough test in civil war, and as it resulted

in no change in the general principles of government on either side, during or since the war, we may be confident that whatever ills may come, they will have to be met and disposed of by the means belonging to a mixed republic, according as they attack our general or local prosperity.

The turmoil of election year is pretty certain to magnify all the disturbing influences in the eyes of a large class of political enthusiasts. And it so happens that in other countries as well as here an impression has been produced that elements of social mischief exist, which are as dangerous as the dynamite and weapons of the agitators. But for some reason the mass of the community display no trepidation, and look on these threats and demonstrations as presenting no novelty in principle, and foreboding no danger that society may not adequately resist. The things which seem so full of future woe to many earnest and uneasy minds are the supposed tendencies toward anarchy and revolution, produced by the relations of property and those who lack it. Good men groan at the apathy of the stupid public, who go quietly on their way and pay no heed to the flood of which they are warned. And so, in their concern, they volunteer not only moral and religious warnings, which are always worthy of respect, but also their views of political reforms, upon which there is always room for honest doubt. But of this there is no doubt, that whatever may be its apparent obtuseness in appreciating the rhetoric and logic of speakers and writers, who address and perhaps convince audiences that get their political sustenance in that way, the great undemonstrative body that makes the nation has instincts so keen and sensitive that no political sagacity can outstrip them. Universal zeal can seldom be excited on questions of policy upon which wise men differ. But the appreciation of what is vital to society itself and the security of its members, is the inheritance of all reasonable men alike, and if it is blunted in any one, it is more likely to be so in those who put their faith in political nostrums than in plainer and simpler minds. Here the aggregate wisdom is greater than any individual wisdom, and the aggregate will bears down all opposition. It is easy to see that the public is not careless on these topics, although there are no signs of panic. The danger is greater to those who encroach on the general rights than to the public itself. But some of the evils may need rough usage, and, if prolonged, will provoke it.

The mischief most dwelt upon is the supposed malign influence of great wealth in making private property and private comfort subject to grasping private or corporate interests.

The combinations of labor against employers, and of employers against laborers, do not affect so many people directly. But proceedings which may burden any one, or subject his property to encroachment, or his quiet to disturbance, operate more generally through the community. The history of revolutions is largely a history of resistance to obnoxious encroachments and burdens. The constitutions of free governments are chiefly made to prevent them. There is nothing of which men are more jealous, or on which their minds have for centuries been more clearly made up. The learned historian, Augustin Thierry, after completing his research into the history of the French municipalities, thus expressed himself concerning the wisdom and constancy of the citizens, whose descendants were not so fortunate as those of their British neighbors: "Our ancestors of the middle ages had, as we must acknowledge, something which to-day we lack,—that faculty of the statesman and of the citizen which consists in knowing clearly what he wishes and cherishing his determination within him long and persistently." The development in France of a central tyranny that checked the nobles in their relations with the crown, but protected them in their domestic abuses, put off the day of reckoning for the oppression of that people, until the Revolution swept away, for a time, good and bad together. It cannot be said that we have any abuses that need a revolution to destroy them. Any disregard of weak interests is not so much due to imperfect laws as to laxity in enforcing good laws. It is true that courts have not been blameless in drifting into doctrines that do not harmonize with the spirit of our political constitutions. In the mutual evasions of responsibility by legislators casting their burdens on the courts, and courts assuming that legislative conclusions must be correct, results have frequently been reached that do not satisfy the sense of the people. Constitutional amendments are sometimes declared necessary to secure protection which most people supposed had been assured already. But all these remedies are possible, and will come when urgently demanded. There is, however, some reason for considering, with a little anxiety, the causes that have led to disturbances in public serenity, and also to obtuseness in the

public authorities in not perceiving the existence of discontent. And it is for many reasons unfortunate that neither the legislature nor the press reflects the public feeling on many subjects until it is emphatically expressed.

It is too familiar to need dwelling upon that our own Revolution was chiefly due to the fact that the English Parliament did not understand the American people. No one who has carefully studied the subject now supposes that representation there, by such members as our population would have warranted, would have made any difference. Our colonial agents were men who had far more personal weight and influence than the average English country members. The British Parliament has always been remarkably sensitive to public opinion, and has generally represented it fairly. But it is that opinion which has local operation and local expression at the seat of Parliament. London has for this purpose been more truly Great Britain than Paris ever was France. The London press has always been singularly able and outspoken. It may not always give wise counsel, because it is, after all, representative, and the opinion it represents is British opinion. But it does represent that, and usually the majority of voices in Parliament will echo it. The present state of things is exceptional. Mr. Gladstone is not the only minister who has defied public opinion, but he is almost the only one in recent times who has dragooned a majority of Parliament into sustaining him in it for the lack of any representative man to supplant him. The position of Irish and Scotch interests, represented in both houses, indicates clearly enough that the opinion of Parliament is not made up to any great extent within its walls, although on occasion it may be.

It is a fact, though not very satisfactory to contemplate, that our legislative assemblies, either at Washington or in State capitals, are not only very poor tests of public opinion, but are not very sensitive to it, although they mean to follow it. To come no nearer to our own day, all who remember the relations of Mr. Lincoln with Congress, and the fact that his second nomination was the result of an overwhelming popular sentiment which swept away an opposition that was strong in Congress and not strong anywhere else, must recollect how utterly confounded some very able men were by a feeling that was as plain as day to most men out of Congress. While the convocation of those who represent us in law is theoretically our repre-

sentative in sentiment, it would never occur to any one who wishes to know what is the conviction of the body of the people concerning men or measures, to go to Washington to inquire. It is only learned foreigners, who desire to study our institutions, that suppose the affairs of the nation are governed by a series of deputized expressions originating in the town meetings and working upward. The primaries are diligently cultivated to secure votes for men, but no American politician troubles himself about their opinions on measures, for they seldom have any, and if they had, they would probably not be those of the body of voters. Measures are considered in making platforms, but even those are not made very prominent during the intervals between elections.

In spite of the improved means of communication, there is a noticeable difference between the Washington of simpler times and the Washington of to-day. The "National Intelligencer," representing the Whigs, and the "Globe," representing the Democrats, were for a considerable period the most influential papers in the United States. But very few people now care to take a Washington paper, and not very many know what papers circulate there. In our large commercial cities there were also journals that were confidently looked to as representing the views of entire parties. But there are no such papers now. The means of rapid transit have apparently done more to build up the local press than to concentrate sentiments and influence. There never was a time when more uncertainty existed concerning the real condition of public opinion than since we have had the means of rapid communication. The first act of the war found many of our public men in fear and trembling lest public opinion in the North should be divided, but brought such a revolution of settled conviction and enthusiasm on the part of the entire population as showed there never had been any popular doubts. It is just as certain now as then that there is everywhere, except among those who have an idea that they are wiser than the multitude, a well-defined understanding of free institutions, and a settled dislike to all that perverts them. And the reason why there is more or less jealousy of financial power is because it not only has capabilities of mischief, but because mischief has to some extent been done. There is no blind or senseless enmity to enterprise and its rewards. All crusades against the rights of property are utterly opposed to the whole instincts of the

American people. If they are wrong on this subject, it is in the other direction, in giving indiscriminate privileges without imposing adequate checks on their abuse. But there is a feeling that every instrument which can be made powerful for evil as well as for good requires some regulation.

By the law of most countries, as handed down by long usage, there has usually been a penalty against the various forms of monopoly. Legislatures and other public agencies are still forbidden to grant them. But an idea has gained currency almost universally that it would be an unreasonable tampering with the laws of trade to interfere with private monopolists. In most of our cities ordinances are enforced against forestalling and similar attempts to affect prices in such articles as are sold in the stalls; but combinations on a larger scale are let alone, and, although still common law offenses, are never prosecuted. And yet there is a very extended and very bitter feeling, that some of these days will be expressed in some way, in a milder form, it is to be hoped, than by mob violence, against those gambling transactions in grain and other domestic commodities which disturb prices without any reference to the laws of supply and demand, and are felt now and then by the poor very oppressively. The continuance of these evils has led to a feeling that public justice is sometimes a respecter of persons. The practice prevailing in some States of dispensing with grand juries has removed a most efficient safeguard to citizens who are timid about complaining individually of powerful offenders. Jurors solve doubts against corporations from a feeling which is no doubt in most cases an unjust prejudice, but which is often provoked by the arrogance of corporate representatives of high or low degree in dealing with citizens and in making litigation expensive. The voter who knows that corporate franchises here are usually given and not paid for, has a keen sense of their abuses, which, so far as they are technically legal, are due largely to legislative carelessness, or exist because the legislature has been misled. A grievance that has created much resentment is the needless appropriation of private lands and the injury to adjacent lands by various forms of public works. In not a few cases such enterprises have no good reason for existence, and would never have been allowed if the public had had any voice in their location. And whether the price paid for land taken is adequate or inadequate, the soreness exists where there is any sense of

wrong. The outrageous practice which fails to provide any remedy for those incidental damages to lands not taken, which are far worse than the mere use of land, has also its share in producing the general discontent.

A similar mischief has been felt in cities. As a matter of fact, the government of many of our cities is not in the hands of the wealthy, or even of those who owe them any particular favors. But there is the same sentiment of helplessness against the aggregate power and of dislike for its abuses. The average common council is perpetually legislating. They meddle with the ordinary uses of private property. They change established grades, lay out streets that are not needed, to benefit some particular interest, and alleys that make it impossible to find lots deep enough for the exigencies of business. They are continually tearing up and improving at the expense of those who are not supposed to know their own interest. The burdens of these changes bear cruelly upon persons of small means whose home is their only wealth, and who sometimes are compelled to forfeit it to pay for what in theory should have enhanced its value. And our legislatures, instead of using diligence to regulate municipal authority, often refuse to listen to any reforms that do not originate with the bodies that need reforming. Opposition to extravagance is so often set down as mere dislike to improvement, that many complaints are silenced by timidity, which only increases the sense of injustice.

There is a prevailing feeling that wealth has an undue influence in our public affairs. Election expenditures are regarded as legitimate which are beyond the power of any but the rich; and there is a conviction that time is spent in the interest of moneyed enterprises which should be devoted to the general welfare. Lands are allowed to be monopolized by corporations not subject to local laws. Towns are left without outlets, to enable new ones to be built up for the benefit of neither public nor shareholders. Streams are put under special control with small regard to the riparian inhabitants. The individual is becoming helpless to cope with aggregate rivalry or aggregate opposition. There is a feeling that the popular representation is getting more remote from popular sympathy, and has not as much regard as it ought to have for interests which are not influential.

Some of the jealousies are ill-founded, but many of them are not. The history of republics has been full of illustrations of the

danger of giving financial interests too large a control in public affairs. And, rightly or wrongly, there is a large amount of distrust among people who not only have a right to be heard, but who will sooner or later exercise it.

The complaints which need most attention do not come from radicals and disorganizers, but from those steady citizens who are our best guards against them. The remedies sought for are not agrarian laws or nihilistic schemes, but greater respect for private rights. It will not do to waste words in platitudes that demonstrate that our system already secures them. The best constitutions give powers that are capable of oppressive uses. We would all spurn the old Saxon rule which measured the cost of crime and outrage by the victim's wealth. But any system which allows small or moderate interests to be subjected to larger interests, involving no public advantage, belongs to the same category. The theory of our Government ranks men above things, and natural persons over artificial ones. The encroachments of irresponsible power are not altogether imaginary. Laws may not always prevent them, but sound policy may keep them from becoming dangerous. It would be a serious mischief if the uneasiness which is now found among reasonable men, without regard to party lines, should be driven to making common cause with doctrinaires to get things righted.

JAMES V. CAMPBELL.

THE ORIGIN OF COMETS.

We find among men of science a singular mixture of caution and daring, degenerating sometimes into timidity on the one hand, and into rashness on the other. The scientific caution of a Newton, testing the theory of gravitation by line and measure, and calmly resigning it for awhile, because, as it chanced, line and measure were both inexact, may be compared with the noble daring of a Halley, boldly announcing that the comet of 1682 would return in 1758 * on the strength of observations which, in our day, would certainly be thought insufficient to determine a comet's period. The timidity with which the profound reasoning of Olmsted respecting meteors was rejected, till simple observations made that obvious which he had made certain, may be contrasted with the rashness shown by those who have accepted the speculations of Laplace about the universe as though these were demonstrated theories.

Comets, the most mysterious of all the bodies known to astronomers, have been subjects of most marked timidity and of most daring rashness of scientific reasoning. That men should have been unwilling to formulate definite theories about these wild wanderers is, perhaps, natural enough. But the calm, uninquiring confidence with which ideas have been advanced and suggested respecting comets is not so easily explained. One of these ideas, regarded by many as if it were an established truth, I propose now to inquire into,—the idea, namely, that comets have been drawn from those paths on which they chanced

* I am quite aware of the fact that the comet really returned in 1759, that is to say, that it was in 1759 that the comet passed its point of nearest approach to the sun. Halley's prediction, however, named 1758, and made as it was when the theory of gravitation was in its babyhood, it was a very fair guess.

originally to approach our solar system, by the perturbing influences of the giant planets, and have thus been, in certain instances, compelled to travel around the sun in elliptical paths, instead of the parabolic or hyperbolic orbits on which they had been traveling before they were thus captured. I think I shall be able, first, to show that this theory is antecedently most unlikely; then to prove that even if it had been the most natural and probable theory conceivable, it is entirely inconsistent with observed facts, and, therefore, untenable. I shall then suggest a theory in its place which, were I to mention it just here, would probably be rejected at once as the wildest speculation imaginable. Possibly, introduced as it will be by a series of observed facts not otherwise explicable, it may not seem so repellent a little further on. But I shall ask the reader interested in matters cometic, not to turn to the end of this essay until he has read the beginning.

We start from the conception that all comets originally entered our solar system from without. They come, say Heis, Schiaparelli, and others, who have advanced the Capture Theory, from out of interstellar space. Now, it is no valid objection to this view that it gives us no idea how cometary matter came to exist in interstellar space, for in all inquiries into the past condition of the celestial bodies we must always come short of their actual origin. Thus, in considering the past of our solar system we may start from a chaotic vaporous state, or from a past condition in the form of cosmical dust, or from a condition in which the vaporous and the dust-like forms are combined; but if we are asked whence came the vapor or the cosmic dust we are obliged to admit that we cannot tell. If, hereafter, we should be able to say that it came from such and such changes in a quantity of various forms of matter, which we may represent by X, Y, and Z, we should still be unable to say how X, Y, and Z came into existence. So that I make no serious exception against the supposed origin of comets on the ground that it really leaves very much to be explained. Interstellar space is a convenient place to which to assign the origin of bodies so mysterious as comets. *Cela exprime beaucoup de choses.* Almost anything might happen in regions of which we know so little, or, rather, of which we know absolutely nothing.

Yet it may be worth while to remark that, on the whole, the interstellar regions are less likely to be the regions whence

comets originally came to visit suns and sun systems, than to be regions whither comets strayed after leaving originally the neighborhood of solar systems. The most probable idea about the interstellar spaces is that they are the most vacuous regions within the range of the sidereal system. The mere circumstance that comets came from out of them affords no better reason for regarding them as the original home of comets, than the circumstance that comets pass from the solar system into these interstellar spaces affords for rejecting that assumption. There is, in fact, simply no reason whatever for imagining that the place where comets came into existence is the vast unknown region around the solar system which we call interstellar space. Most comets come to us from thence; as many comets are traveling into that unknown region as are coming out of it. To form an opinion about the origin of comets from no better evidence than their last journey (out of millions, very likely) can afford, would be as absurd as for a day-fly to reason that the river flowing past the home of his race came out of the sky because a few drops of rain came thence.

Suppose, however, we admit that in interplanetary space there have been in the past, and still exist, such flights of meteoric matter as the theory we are considering assumes. Let us grant them, also, such motion as may save them from what otherwise would inevitably be their fate, viz., a process of direct indrawing toward the nearest sun, and consequent destruction (with mischief probably to his orb), after a period of time which must be regarded as utterly insignificant compared with the time intervals measuring the duration of a solar system.

It follows, then, that each flight of meteors would, in the long run, draw near some sun, without, however, rushing directly upon him; and, sweeping round his globe upon such path as chanced to result from the combination of its original movement and his attractive influence, would pass out again into interstellar space. This might happen tens, hundreds, thousands, or even millions of times, a comet either sweeping in a long elliptical orbit, with enormous periods of revolution, around one sun; or, if its velocity were slightly greater than that supposition implies, rushing first round one sun, then out into the depths of space to visit another sun, then to yet another, and so on, flitting from sun to sun forever, or until the kind of disturbance in which the holders of the theory we are considering

believe, had changed this kind of motion into actual orbital circuit.*

In either case the minimum velocity with which a comet would be moving, when at any given distance from our sun, would be determinable within a few yards per second. It is well known that the velocity with which a body traveling to the sun from an infinite distance (though one cannot, of course, conceive such a movement) would reach the sun, would not exceed by a foot per second the velocity with which a body would reach him after traveling from the distance of the nearest fixed star. So also the velocities of bodies moving in orbits reaching half as far from the sun as the distance of the nearest star, would be the same within a foot or so per second as the velocities with which bodies coming to the sun from infinity would reach the same distance from him. If such bodies had originally a great inherent velocity, of course they would reach any given distance from the sun with much greater velocity. But this would not affect our estimate of the least velocity at that distance. Thus we know what the giant planets to which has been attributed the final capture of those comets which now form a part of the solar system, had to do. We can tell the precise velocity in miles per second, or, at least, the minimum velocity, with which our imagined meteoric flight would cross the orbit of Neptune, or Uranus, or Saturn, or Jupiter, as the case might be, before its capture. We know, in the case of each comet supposed to have been captured, the precise velocity of the comet at the distance of the planet which captured it,—its special planet-master. The difference is the amount of velocity which the capturing planet had to take away in order to effect the supposed capture.

Observe that we are here on sure ground, if the theory is sound. It is certain that a comet in coming from remote interstellar space to the solar system would have at the distance, say, of Jupiter, a certain velocity. It is certain that a comet now traveling in a particular orbit, approaching at one point very near to the orbit of Jupiter, has at Jupiter's distance a certain velocity, very much smaller. Hence, it is certain that, if Jupiter captured that comet by disturbing it as it approached

* I have here considered only two kinds of cometic orbit, the elliptic and the hyperbolic; for a true parabolic orbit would be as unlikely, or rather as impossible, as a truly circular orbit among the planets.

him on the last of its many free visits to the sun, the giant planet must have deprived the comet of so many miles per second of its former velocity. All we have to do is to find out how the planet could do this; in other words, how near the comet must have approached the planet to be thus effectively disturbed.

These pages are not suited for the close and exact discussion of the case of any particular comet. I have elsewhere (in a paper which appeared in the "Proceedings" of the Astronomical Society) given the details for certain cases which have been regarded as among the most satisfactory illustrations of the comet-capturing ways of the giant planets, and have shown that the theory is in those cases, and therefore in all, absolutely untenable, though so resolutely held. Still it may be well here to consider an illustrative general case,— the simplest that can be taken, and also the most effective, because the conditions are, in reality, much more favorable than they are in any known case.

Imagine a flight of meteors to travel from interstellar space toward the sun until it reaches the distance of Jupiter, and that when at that distance it chances to pass very close to the orbit of Jupiter, and at a time when Jupiter himself is very near the place where the meteor flight crosses his track. Observe that the chances against each one of these contingencies are enormous. If we conceive a sphere around the sun, girdled by Jupiter's orbit, the meteor flight in its course sunwards might traverse the surface of that sphere (or, which is the same thing, might traverse the part of its course where it is at the same distance as Jupiter from the sun) anywhere, and we are supposing that it traverses that surface close to a particular girdling circle (technically a "great circle" of the sphere). Suppose that by "close" we mean within a million miles; then the imaginary girdle of the sphere through which the meteor flight must pass to fulfill the required conditions is two millions of miles broad. The sphere itself has a diameter of some nine hundred and sixty millions of miles, and by a well-known property of the sphere,* its surface is four hundred and eighty times greater than that of the girdling strip. The chance is but one in four hundred and

* The property is this: that the surface of a sphere exceeds the surface of a girdling strip, such as we are considering, in the same degree (if the strip is relatively narrow) that the diameter of the sphere exceeds the breadth of the strip.

eighty that any meteor flight coming from interstellar space toward the sun will be within a million miles of Jupiter's orbit when at Jupiter's distance from the sun. Then Jupiter's path has a circuit of more than three thousand millions of miles. Thus the chance that at the moment of the meteor flight's passing the orbit, Jupiter will be within a million miles on either side of the place of passage, is as two in three thousand, or one in one thousand five hundred. But the chances that both these relations hold is only as one in one thousand and five hundred multiplied by four hundred and eighty, or as one in more than seven hundred thousand. Thus, assuming — though the case is otherwise — that a million miles would be an approach near enough for capture, still only one meteor flight out of seven hundred thousand which came from outer space could be captured by Jupiter.

This, however, is but the mere beginning. We may admit that millions of times as many comets or meteor flights approach our system as the planets have captured; and if so, we need recognize no special force in any such considerations as have just been presented. I only advanced them to suggest the conditions which are, as it were, essential for the process of comet-capturing by a giant planet.

Arrived at Jupiter's distance from the sun, the meteor flight from interstellar space will have a velocity of about eleven miles per second. Now let us inquire what its velocity must be reduced to in order that it may thenceforth be compelled to travel in a circle around the sun. As a matter of fact, all the members of Jupiter's comet-family travel in orbits whose remotest parts are near Jupiter's orbit, and to give a comet such an orbit as one of these much more must be done in the way of reducing velocity than is necessary merely to make the meteor flight from outer space travel thenceforth in a circle at Jupiter's mean distance. We are taking, in fact, a very unfavorable case for our argument. Still, the velocity must be reduced, even in this case, by nearly three-tenths, or by more than three miles per second.

Now Jupiter's power to withdraw velocity from a body in his neighborhood is measured by his power to impart velocity. In fact, both processes are but different forms of the same kind of work. Precisely as we say that the sun can communicate a velocity of three hundred and eighty-two miles per second to a

body approaching him from interstellar distances, and that therefore the sun can withdraw such velocity from a body leaving his surface at that rate, and eventually bring such a body to rest out yonder in interstellar space, so can we make a corresponding statement for any planet,— Jupiter or Saturn, the Earth, our Moon, and even for the least of all, the asteroidal family (supposing only the mass and size known). In the case of Jupiter, for instance, we find that the utmost velocity he can impart to a body reaching him from external space is about thirty-six miles per second. That, at least, is the velocity with which such a body would reach the visible surface of the planet. What the velocity might be with which the real surface, far down below the visible envelope of clouds, would be reached, we do not know,— not knowing where that surface lies. In the case of our own earth, the velocity with which a body would reach the surface, if brought thither solely by the earth's action from interstellar space, would be a little over seven miles per second, or more than twenty-seven times greater than the velocity of the swiftest cannon-ball.

But while Jupiter — to keep for the moment to our giant planet — has thus, theoretically, the power of giving or taking away a velocity of thirty-six miles per second, he is not practically able to do anything of the sort. He is not left to draw matter to himself, or to act on the recession of matter from himself, alone. The bodies which come near to him from outer space have been drawn by solar might within that distance from the sun, and almost the whole velocity they there possess is sun-imparted. We have seen what it is,— some eleven miles per second. Now, manifestly, this greatly affects Jupiter's power of imparting or withdrawing velocity. Both processes require time, and it is clearly impossible for Jupiter to produce anything like the same effect on a body rushing past him with a sun-imparted velocity of eleven miles per second as he would produce on a body left undisturbed to his own attraction. Jupiter's action at any moment is the same whether the body is moving or at rest; but the number of moments is very much reduced owing to the swift rush of the body past the planet. To use the old-fashioned expression of the first students of gravitation (an expression which has always seemed to me amusingly quaint) the solicitations of Jupiter's attractive force are as urgent on a swiftly rushing body as on one at rest; but

if a body will not stay to hearken to them much less effect must be produced. In all this part of my reasoning, I may remark, I am not pleading a cause, but indicating what every student of celestial dynamics knows.

We may fairly regard twenty-five miles per second as the utmost velocity that Jupiter can impart or take from any body coming out of interplanetary space past him, as close as such a body can pass without being actually captured. Moreover, in every possible case, Jupiter can only abstract or add a small portion of this amount; for this reason, simply, that in every possible case there will be first an action of one kind (abstraction or addition of velocity), and afterward an action of the opposite kind (addition or abstraction respectively). It will be but the difference between these effects, in most cases very nearly equal, which will actually tell on the body's future period of revolution around the sun.* This makes an enormous reduction on Jupiter's potency to modify cometic revolution. Certainly ten miles per second is a very full estimate of the velocity he can abstract or add in the case of a body passing quite close to his apparent surface.

But even this may seem ample. Seeing that a loss of three miles or so per second would cause a body which had reached Jupiter's distance from the sun, after a journey from out of interplanetary space, to travel in the same period around the sun as Jupiter himself, and since we seem to recognize a power in Jupiter to abstract ten miles per second, it would seem as though Jupiter's capturing power were in fact demonstrated.

But while, to begin with, the close approach required for this capturing power to exist is something very different from that approach within a million miles which I before considered, there is a much more important difficulty to be considered, in the circumstance that we have thus far dealt with Jupiter's capturing power on one body, not on a flight of bodies, such as a comet approaching from interstellar space is held to be, according to the theory I am discussing. Let us take the former point, though the least important, first.

At Jupiter's apparent surface the actual maximum velocity which the planet could give to a body approaching from a

* As distinguished from the orbit. The orbit might be largely affected even in a case where the velocity at Jupiter's distance remained absolutely unchanged; but in this case the period of revolution would remain the same.

practically infinite distance would be about thirty-six miles per second, and we reduced the actual maximum effect on a body passing Jupiter very close, under such conditions as actually prevail in the solar system, to ten miles per second. Let us see what would be the corresponding numbers in the case of a body passing within a million miles of him, remembering that even that would carry such a body right through Jupiter's system of satellites, the span of that system being about four and a half millions of miles. Since a distance of one million miles exceeds the distance of Jupiter's surface from his center nearly twenty-five times, it follows (I need not explain why, mathematicians will know, and for non-mathematicians the explanations would be tedious and difficult) that the velocities which Jupiter can give or abstract at the greater distance would all be reduced to little more than one-fifth those determined for Jupiter's surface. So, instead of ten miles per second, we should get but two miles per second, as the greatest Jupiter could abstract from a body approaching him within a million miles. And this would not be sufficient reduction to make such a body travel thenceforth in Jupiter's period, still less in one of the much shorter periods observed throughout what has been called Jupiter's comet-family.

But the other difficulty is altogether more serious. A comet approaches Jupiter, on the theory we are dealing with,—and indeed the same may be assumed on any theory,—as a flight of scattered bodies. Either this flight is so close as to be in effect, because of mutual attractions, a single body, or it is not. If it is, the flight will not be broken up by Jupiter's action; and, if not so broken up, will remain forever after a united family. But if, as is more in accordance with observed facts, the cometic flight is so large that the attraction of the flight, as a whole, on the separate members, can be overcome by Jupiter's action, then not only will the flight be broken up, but the orbits given to different members of it by Jupiter's disturbing action will be widely different. Suppose, for example, the extent of the flight to be such that the parts coming nearest to Jupiter approach his center within fifty thousand miles (a very close approach, indeed, to his surface), while those parts which are remotest from him at the time when the flight, as a whole, is nearest, came only within sixty thousand miles from his center. Then, in round figures, the reduction of velocity of the nearer members

of the flight will be greater than the reduction for the farther members, as six exceeds five. Supposing, for argument's sake, the former reduction to be three miles per second, as it must be to make those members of the flight travel thenceforth in Jupiter's period round the sun, then the reduction for the outermost members would be but three and a half miles per second; or thenceforth one set of meteors formerly belonging to the comet would have at Jupiter's distance a velocity of eight miles per second (eleven less three), while another set would have a velocity of eight and a half miles per second (eleven less two and a half) at that distance. This means that thenceforth the mean distance of the latter set from the sun would exceed the mean distance of the former set about as nine exceeds eight.* Since the former set would thenceforth be traveling at Jupiter's distance, or about 5.2 times the earth's, the latter set would be traveling at a mean distance greater by one-eighth of this, or .65 of the earth's distance, say some sixty millions of miles. The latter set would be at their nearest to the sun when at Jupiter's distance, would pass sixty millions of miles farther away to their mean distance, and as much farther away still at their greatest distance. Practically, then, even in this case, as favorable for capture as can be well imagined, the capture, though effected, would result in spreading out the comet, which had arrived as a compact flight of meteors ten thousand miles only in span, over a region one hundred and twenty millions of miles broad. It is hardly necessary to say that nothing like this is observed in the case of any member of Jupiter's comet-family. We know that along their track meteors are strewn to distances which, in some cases, may well exceed even the enormous distance just named; but they lie along the track, not ranging more than a few hundred thousand miles on either side from the path of the comet's head. This means that the orbit of every single meteor of such a system has, practically, the same mean distance from the sun.

The difficulty last considered is simply fatal to the theory that the comets forming what have been called the comet-families of the giant planets were captured by those orbs in the

* The simple law is, that for two bodies having different velocities at the same distance from the sun, the mean distances from him differ as the square of those velocities. Now, the square of eight and a half is seventy-two and a quarter; that of eight is sixty-four.

way imagined by Heis, Schiaparelli, and others. We must seek for a different explanation, if we are to account for the peculiar relations of these comet-families at all. It may be that the peculiarity, like many others presented by comets, may not admit of being explained. The considerations I am about to advance may to many appear not altogether convincing; nevertheless, as they involve the study and discussion of known facts, they are worth investigating, quite apart from all questions of the validity of the theory with which I associate them.

Observing that the giant planets have each their comet-family, we may safely infer that the sun also has his special family of comets; that is, a family the dominion of which he does not in any sense share with the giant families. The comets which we should thus regard as specially solar are those whose paths approach exceptionally near to his globe. Among numbers of comets which come from out of interstellar space toward the sun, and, sweeping around him, pass away again into the depths from which they came, many have paths passing so far from his globe that we cannot regard them as in any special way associated with him. Bodies coming casually, so to speak, from outside regions would have just such paths. So that of many comets, not belonging to the comet-families of the giant planets, we may say that neither do they belong to the comet-family of the sun. Yet even these teach something. Whatever theory we adopt as to the origin of comets, it must give an account of these comets, as well as of those which, passing very near to the globe of the sun, may be regarded as belonging specially to him, and those others which we assign as the special dependents of the giant planets.

Now, taking the two last-named classes, we recognize in the movements of the members of each class evidence of the introduction of these comets into the solar system, through the intervention, in some way, (1) of the giant planets in the case of one class, and (2) of the sun in the case of the other class. We have seen that the giant planets could not have introduced their comet-families from out of interstellar space by perturbing influences. We may infer with almost equal probability, or almost with certainty, that neither did the sun introduce his comet-family by drawing them from out of interstellar space.

Since, then, the sun and the giant planets did not introduce their special comet-families from interstellar space, yet did most

manifestly introduce them in some way, where else can these comets have come from but from within the orbs of the sun and of the giant planets respectively?

At first sight this theory seems so strange and fanciful that we are almost deterred from examining it further by its apparent grotesqueness. We seek about for a way of escape from so wild a theory. We look back to a remote period when, in accordance with the ideas of Laplace, the sun's mass extended far beyond the present orb of the sun, and the giant planets also had orbs extending even as far as the orbits of their outermost satellites. Undoubtedly, if a flight of meteors in that far distant period rushed through the outer vaporous surroundings either of sun or of giant planets, the effects imagined by Schiaparelli and by Heis might have been produced. The diminution of the velocities of the meteors forming such a flight might well be far more effective than in the case we have hitherto considered, of free space around a planet's globe.

But we may regard this theory respecting the introduction of comets into the solar system as one which may wait its turn until the other, of ejection, strange and fanciful though it may seem, has been examined. For there is nothing in the capture theory, considered in itself, to invite us specially to its adoption. It gives no account whatever of the actual origin of comets. It only suggests how, having somehow come into existence in interstellar space, comets would be drawn sunward, and might be captured by the sun or by planets. If to this inherent difficulty in Schiaparelli's theory we are to add all the difficulties involved in the supposition that the sun and the giant planets were once much larger than they now are, and that being thus large they were able to capture comets by actual interruption of their movements, we may at least consider that before discussing such views, before attempting to carry back our thoughts over the practically interminable time intervals involved in such a process, it may be well to examine a theory which, though startling at a first view, promises to explain something more, if confirmed, than the scarcely less startling theory of comet capture by expanded sun and by expanded planets.

Suppose that instead of looking into remote regions of space, and toward far off periods of time, we examine meteoric masses, and inquire of them whence they came. We cannot expect each meteorite to have a story to tell; but after a goodly number

have been examined, we may light upon one speaking with tolerable clearness respecting its origin. Our first studies shall be with the microscope.

Now, passing over a number of microscopic studies of meteorites which are suggestive enough, but not decisive, we come on the strange fact that certain meteorites show under the microscope the clearest evidence of having once been in the form of tiny globules of molten metal, numbers of which have become agglomerated together. The eminent microscopist and mineralogist Sorby, of Sheffield (England), asks respecting these particular meteors, where else could they possibly have existed in the form of metallic globules (liquid) except in the interior of a body like the sun? In the interstellar spaces intense cold prevails. In rushing close past the sun a meteoric mass might be molten, but would scarcely be vaporized, even though the orbit of the flight passed very near the sun's surface. But the meteorites which have visited our earth have not been associated with comets passing near to the sun. Manifestly the chances are very small that any meteorite following in the train of a comet like Newton's or the comet of 1843—that is, a comet traveling close past the sun — would ever reach the earth. But Sorby found microscopic evidence such as I have described in quite a large number of meteorites which he examined.

At any rate, the assumption for the moment, that such meteorites had their origin within the interior of a body like our sun, accords well with the theory we have had suggested to us, that comets and meteor flights (kindred bodies) came from within the orbs with which we still find them associated.

Turn now to the chemical analysis of meteorites. Here the evidence is perhaps even more suggestive. Masses of meteoric iron being placed under the air-pump, hydrogen which had been present in their substance — occluded in the iron, as it is technically expressed — has come out in such quantities that Professor Graham (of London) considers the amount fully six times as great as could be occluded in the substance of iron by any process known to chemists or physicists. This Lenarto meteor, he says, has brought to us across the interstellar spaces the hydrogen of the fixed stars. In other words, Professor Graham could see no other interpretation of the presence of so much hydrogen within the substance of this mass of meteoric iron than that the hydrogen had been forced into the iron while yet within the

interior of a star. We know that beneath the visible surface of our sun there must be both the vapor of iron and hydrogen at enormous pressure. Under such conditions alone could masses such as the Lenarto meteorite be formed. Professor Graham, therefore, assumed confidently that the Lenarto meteorite and others of the same sort were formed in the interior of a body like our sun. He rejected, rightly, the idea that it was in our sun himself that the meteorites of that class were formed. For the chance of any meteorite ejected from the sun reaching our earth is but about as one in twenty-two hundred millions. The greater number of the sun-ejected meteorites he saw must have been ejected from the interior of the other suns which people space. There are hundreds of millions of such suns even within the range of telescopic vision; millions of millions doubtless exist; so that if we once admit the possibility of the ejection of meteoric masses from within a sun or star, we recognize the probability, or rather the certainty, that there must be billions of billions of such masses traveling amid the interstellar spaces.

All this was reasoned out thus before it had been shown that suns ever do eject masses with sufficient energy to carry them beyond the attractive influences of their parent orbs; nay, Sorby and Graham expressed their views respecting the origin of some meteorites when it seemed utterly unlikely that we ever should get evidence of stellar eruptive powers which that theory requires.

But such evidence has now been obtained. Professor Young, of Princeton, N. J. (then of Dartmouth, N. H.), was the first, in 1872, to obtain evidence of the actual ejection of matter from the sun's interior with velocities sufficing to carry such matter forever away from him; but the evidence was decisive, and since then kindred observations have been frequently made. What Young saw, indeed, was apparently the ascent of filaments of hydrogen, at an average rate of nearly two hundred miles per second; but it was easy to see that the irregular streaks of hydrogen were not themselves the ejected matter. If a thin gas like hydrogen could rush through the region immediately above the sun's visible surface at the rate of two hundred miles an hour,—which I reject as incredible,—the shape of such hydrogen missiles would be such as to indicate very clearly the resistance they were encountering. They would be pear-shaped, the rounded part of the pear in front, like fire-balls in our air.

But these were irregular streaks, like the luminous tracks of meteors, and such doubtless they were. A flight of masses of considerable density must have been shot out on that occasion, and on other occasions when similar phenomena have been observed, and rushing through the hydrogen in the sun's neighborhood, caused the gas to glow along their track, just as fireballs in our air leave behind them long luminous trails. The rate at which these missiles advanced could be inferred from the rate at which the luminous trails followed them. Calculation, in which the sun's retarding action was taken duly into account, showed that the matter thus expelled from the sun left his surface at a rate of not less, probably, than five hundred miles per second. The ejected matter left the sun, then, never to return, and in the form of precisely such a flight of meteoric missiles as microscopic and chemical researches had shown to be traveling through the interstellar spaces.

When we consider the three lines of evidence, and note how independent they are of each other, we see that the theory of the ejection of masses akin to meteors from the suns which people space is rendered all but certain independently of any line of *à priori* reasoning which had led us to look for evidence of such processes. Certain meteors have shown under microscopic study that they were certainly once in a condition such as could hardly exist except in the interior of a body like the sun; others have shown under chemical analysis that they must have been ejected from the interior of a sun; and now we have evidence showing that from our sun, and therefore presumably from his fellow-suns, the stars, flights of missiles akin to meteoric bodies are ejected from time to time with velocities sufficient to carry them into interstellar space. It seems reasonable to infer that here we have the solution of our difficulty; we see that the sun, at any rate, has power to eject at times from his interior flights of meteoric masses, such as we recognize in the streams of meteors which exist within the solar system, and that the velocity of outrush is in some cases so enormous that the masses thus ejected can never return to the sun, but pass away through interstellar space. We find also that meteoric streams, which we are thus led to associate with the solar eruptions, are also associated with comets, every known meteoric stream traveling, probably (as many certainly do), in the track of a comet. Now, knowing the small masses of many comets, it is no very wild thought to sug-

gest that those comets whose present orbits carry them close to the sun were originally expelled from his own interior. Assuredly the flights of missiles which we know to be at times driven from his interior are in all respects akin to what we know many comets actually to be, akin in structure, akin in mass, and akin probably in condition. For in whatever respects the coma and tail of a comet may seem unlike mere meteoric masses, we know that such peculiarities of condition are due to solar action, and that a flight of meteoric masses ejected from the sun himself would as certainly present these peculiarities under subsequent solar influences as any other flight of meteoric masses not ejected originally from the sun.

May not this reasoning be extended to the giant planets, either in their present demonstrably somewhat sunlike state, or in those past stages of their career when they were veritable suns, though small ones? In the great red spot of Jupiter, however, we have had evidence of even a present intensity of eruptive action by which meteoric and cometic matter might well have been ejected in such sort as to pass forever beyond the control of the giant planet. At any rate, the great disturbance suggests, by parity of reasoning, that within comparatively recent times Jupiter and Saturn have possessed the necessary expulsive power. It must be remembered that thus to eject matter with velocities sufficient to carry it forever away, Jupiter and Saturn would not need anything like the same ejecting power which the sun has to exert to expel matter forever from within his globe. They are much weaker than the sun, but for that very reason they would need to exert much less eruptive force, seeing that it is their own attractive power they have to overcome, and that that is weaker in even a greater degree than probably is their eruptive power.

Now, there is a family of comets attending in a sense on Jupiter, and another family attending similarly on Saturn, precisely as we should expect them to do if originally expelled from the interior of these planets. After such expulsion, though free to pass away forever from their parent planets, they would not be free to pass away forever from the solar system. They would be thenceforth attendant on the sun, but with this peculiarity, that no matter what perturbations they underwent, their paths would always pass near to the path of their parent planet. Even if in some future circuit a comet of this sort came quite

close — as it very well might — to the planet it originally started from, it would still, though very much disturbed, follow a path possessing this characteristic, however different from the path which it had before traversed. After many millions of years, indeed, it might happen, perchance, that resistance encountered in its movement around the sun, however ineffective to affect its orbit appreciably in a few thousands of years, would reduce the span of its circuit. But even then it would still be possible to classify a comet whose orbit had been so changed with the family of comets to which it had originally belonged.

Now we find that among the periodic comets attending on the sun nearly all belong to families which have long since been relegated to the giant planets. There is a family of comets every member of which has an orbit passing very near to the orbit of Jupiter; another family every member of which can be similarly associated with Saturn; others depending in the same way on Uranus; others on Neptune; and, in fact, so fully has this sort of relation been recognized that the idea has been thrown out that a planet traveling outside the orbit of Neptune, but as yet unknown, might be detected by the movements of a comet intersecting the great plane of planetary movement far beyond Neptune's orbit. It may be mentioned, indeed, in passing, that the comet of 1862, which has been associated with the meteors of August 10 and 11, intersects the plane of planetary movements at a place about as far beyond the orbit of Neptune as that orbit is beyond that of Uranus; and that it has been held probable that at that distance a giant planet as yet undiscovered may travel.

The existence of the comet-families of the giant planets can scarcely be explained without assuming that which we have thus been led on another line to recognize as probable,— the ejection from the giant planets of masses of matter, in eruptions akin to those taking place in the sun. Whether such eruptions take place now in the giant planets, or not, would be difficult to prove; for although we have evidence of tremendous disturbances, we have nothing to show conclusively that these would suffice to eject matter forever from within these planets' globes. Whether a careful study of the region outside the disks of Jupiter and Saturn (the planets themselves being hidden by opaque disks) would decide the point I am not prepared to say; but I am certain that the edges of the disks of the giant

planets are worth much more careful study than they have yet received.

But undoubtedly most of the comets of Jupiter's family must have been added to the solar cometic system hundreds of thousands if not millions of years ago. Quite possibly both Jupiter and Saturn still eject matter from time to time with such velocities from their interiors that it passes away never to return to them. In this, as in many other features, Jupiter and Saturn are still somewhat sunlike. But they have passed their truly sunlike youth. They tell us of what our own earth was like when she was young. We may trace back her history, however, even to the sunlike state. The same law which we applied to the giant planets may be applied also to her. Her eruptive energies must have been very much less active, even in her sunlike youth, than those of the sun now; but the force against which she had to work (her own attractive energy) was much less potent, too, nay, may probably have been less potent in even greater degree. Just as the moon in her volcanic youth upheaved her surface much more than the earth upheaved hers, because, though the moon was weaker, her subterranean energies had so much smaller downward tending action of gravity to contend against, so it may well be that the smaller a planet when in its sunlike state, the more easily did eruptive forces eject matter beyond the range of the planet's attractive forces. In this case every planet at that stage of its career, as well as every sun, gave birth to cometic and meteoric systems, each after its own kind; solar comets being large ones like those which astronomers have not been able to associate with the planets' comet-families; the comets ejected by the giant planets coming next in order of size; and the comets ejected by smaller orbs, like the terrestrial planets, moons, asteroids, and so forth, being probably too small to be discerned even with telescopic aid.

RICHARD A. PROCTOR.

ARE WE A NATION OF RASCALS?

NOT so, said Daniel Webster. In a letter addressed to Baring Brothers of London, in 1839, in answer to an inquiry concerning the measure of security which the purchasers of bonds issued by the States of the American Union would have for their investment, he made use of the following language:

"The States cannot rid themselves of their obligations otherwise than by the honest payment of their debts. . . . They possess all adequate powers of providing for the case by taxes and internal means of revenue. They cannot get round the duty nor evade its force. Any failure to fulfil its obligations would be an open violation of public faith, to be followed by the penalty of dishonor and disgrace; a penalty, it may be presumed, which no State of the American Union would be likely to incur. . . . I hope I may be justified by existing circumstances in closing this letter with the expression of an opinion of a more general nature. It is that I believe that the citizens of the United States, like all honest men, regard debts, whether public or private, and whether existing at home or abroad, to be of moral as well as of legal obligation. . . . If it were possible that any one of the States should, at any time, so entirely lose its self-respect, and forget its duty as to violate the faith solemnly pledged for its pecuniary engagements, I believe there is no country upon earth — not even that of the injured creditor — in which such a proceeding would meet with less countenance or indulgence than it would receive from the great mass of the American people."

Whether the pecuniary liabilities of the States could be enforced by any processes known to the laws of the land, Webster was by no means positive; but with a *naïveté* that, in the light of subsequent events, seems curious enough, and a degree of satisfaction amounting to absolute pride, he insisted that, really, it was a matter of no consequence. Americans, in his eyes, were so honest a people, so fixed in the idea that debts, whether public or private, are of moral as well as of legal obligation, that it would be impossible for any of the States to repudiate their

financial undertakings. The letter of Webster containing the foregoing eloquent and confident words was published at the time it was written, both in this country and abroad; and, having received the decided approval of the newspapers and other exponents of American public opinion, by which it was quoted and commented upon with "swelling pride," led to the purchase, at good prices, of many of those depreciated obligations of American States, which are now held by the citizens of our own and other lands.

Well, little more than forty years have passed since the publication of the emphatic and gratifying assurances of the great American statesman, and what do we find to be the situation? In the vaults and safes and other depositories in which valuables are stored away throughout the investing countries of the globe, are to be found dishonored undertakings, bearing broad seals and other authoritative insignia of no less than nine of the twenty-six States that were in existence when Webster wrote, and of three more since added to the National Union; and these certificates of indebtedness with accumulated interest, represent now nearly three hundred millions of dollars. And instead of the delinquent communities bowing their dishonored heads in shame, and standing in an attitude of apology before the civilized world, they bear themselves in their peculiar position, if not with actual gratification, at least with singular effrontery. No concealment of their purposes is attempted; but with the black flag of repudiation openly displayed at the front, their citizens in organized political parties march to victory; and when the work of "killing" the coupons and other debentures of the public debts has been successfully achieved, the leaders of the movement plume themselves not a little upon the great good they have accomplished for their own people at the expense of outside creditors. And are such repudiating communities and the leaders of public sentiment within their borders subjected to that reproach and scorn which Webster predicted would be so overwhelming? An answer is supplied by a scene not long ago witnessed in the Senate of the United States, when a considerable majority of the Senators from the non-defaulting States labored long and hard to place in a responsible public position, with salary from the national treasury, a man whose only claim to distinction or consideration of any kind was the fact of his being the reputed author of the most ingenious measure so far adopted by any of the de-

faulting commonwealths for making repudiation a success. A further answer is found in the fact that the President of the United States, officially representing the people of the whole country, has notoriously coöperated with the boldest of all the repudiation chiefs, freely placing at his disposal the patronage of the General Government in the contest he was waging with such citizens of the State to which he belonged as adhered to the old-fashioned doctrine that public debts, like private debts, should be paid. Nor is the writer aware that the President and Senators referred to have, in this matter, met with the general condemnation of their countrymen. He does not at this time recall a single public gathering, of any nature whatsoever, that has expressed its disapproval of their actions in the form of a resolution formally adopted and published to the world. There has been plenty of criticism, and the policy pursued by our highest officials has been freely discussed and characterized, according to partisan interest, as a clever "deal" to catch an element as mercenary and uncertain in politics as it has been in finance; but how many among us have spoken out sternly and faithfully in condemnation of it in the far more serious aspect it bears of making the Government and people of the United States sharers in Virginia's crime and disgrace?

From the data obtainable from official sources, it is not easy to determine the exact liability of some of the defaulting States; but the following table, showing the amounts of dishonored paper they have issued, to the principal of which is added accumulated interest — sometimes running at rates as high as seven and eight per cent. — is substantially correct:

Alabama	$38,812,000
Arkansas	20,807,000
Florida	5,280,000
Georgia	13,580,000
Louisiana	32,115,000
Minnesota	5,960,000
Mississippi	22,600,000
North Carolina	48,350,000
South Carolina	19,500,000
Tennessee	29,850,000
Virginia } West Virginia }	72,220,000
	$309,074,000

Portions of the foregoing liabilities have been adjusted through proceedings which the debtors have called compromises, and new obligations at reduced figures have been accepted in the place of the old. Credit should be given for these new issues as far as they have been confirmed by the payment of interest, which, unfortunately, has not always been the case. But as the so-called compromises have, in every instance, been compulsory and accepted by the creditors as a choice, as they believed, between something and nothing, it is folly to insist, as is done by the debtor States, that the residue of the debt has been legally or morally extinguished. Alabama, in this way, has issued $7,000,000 of bonds; South Carolina between $4,000,000 and $5,000,000; North Carolina, $3,500,000, and Minnesota, $2,500,000. Virginia, Tennessee and Louisiana have issued large amounts of new bonds, through a scaling-down process which they described as "a funding of the debt," but they have treated the new issues precisely as they treated the old.

All proper deductions having been made on account of these new undertakings (and they are offset to a certain extent by indorsements of some of the States on bonds of bankrupt railroad companies, not included in the foregoing statement), we find that the aggregate liability is not materially different from the figure mentioned, viz.: three hundred million dollars. Some of the States in the list, however, pay interest on certain obligations that they never have discarded, although rejecting others. Georgia pays on $10,000,000.

That a realization of the amount of delinquency may be had, it is only necessary to state that, not only does it exceed by more than fifty millions of dollars the total cost of the war of Independence on the American side, but is greater than the valuation of property, according to the last census, in either Alabama, Arkansas, Colorado, Delaware, Florida, Kansas, Minnesota, Mississippi, Nebraska, Nevada, New Hampshire, North Carolina, South Carolina, Oregon, Vermont, or West Virginia; greater than the combined assessments of Colorado, Delaware, Florida, Nebraska, Nevada and Oregon; and greater than the estimated possessions of all the Territories with the District of Columbia, including the nation's capital. But in no respect does the amount become so unpleasantly conspicuous as when contrasted with the total of State and Territorial bonded indebted-

ness that is honored by payment of interest, being the sum of $190,849,978.

But formidable as the amount appears and is, it by no means expresses the sum total of repudiated public indebtedness owing in this country; nor is the liability limited to the States named in the foregoing table. Cities, counties, townships, and school districts, all over the land, have issued their promises to pay, as is well known, mostly in the form of sealed instruments or bonds. So many of these local undertakings have been dishonored, that the amount of defalcation on this score undoubtedly exceeds the liability of the delinquent States. To realize how extensive this phase of repudiation among our people has been, we have only to look at that portion of the country known as the Mississippi Valley, and in natural advantages its richest portion, and note the number of communities that have, at one time or another, sought to escape the payment of their debts. We may commence the list of defaulting cities with Duluth, on the waters of Lake Superior, and on our way down take in Keokuk and McGregor in Iowa; Quincy and Cairo in Illinois; St. Joseph and Cape Girardeau in Missouri; Leavenworth, Lawrence, and Topeka in Kansas; Nebraska City in Nebraska; Little Rock and Helena in Arkansas; Memphis in Tennessee; New Orleans and Shreveport in Louisiana; Houston in Texas; and we stop only when the waters of the Gulf of Mexico are reached at Mobile. And then we have told but a small portion of the story. The list of defaulters among counties and townships, and the smaller and less prominent cities would swell the aggregate to startling dimensions. Of over three hundred municipalities in the rich State of Illinois that issued bonds in aid of railroad building, more than one-third have refused payment and endeavored to avoid it. Of one hundred counties, townships, and cities issuing bonds in Missouri, nine-tenths have defaulted. The record in Kansas is somewhat better, but still humiliating; while the bonded communities of Arkansas have been unanimous in attempting repudiation. Nor have those four States by any means furnished all the delinquent municipalities. Such municipalities can be found almost within sight of the steeples of New York city.

Being subject to the processes of the courts, delinquent municipalities have generally sought to escape payment of their

debts on legal grounds, usually of the most technical nature, and often successfully. The ignorance and carelessness of their own officials in issuing bonds have been taken advantage of without the slightest compunction. More frequently a defensive litigation, having no valid foundation whatever, has been protracted until creditors, worn out and disgusted, have consented to accept in satisfaction a moiety of what justly belonged to them. In many cases resistance in the courts continues. The losses on claims against the smaller communities probably exceed largely the total of dishonored indebtedness of the States. We can thus form an idea of the amount of money owing by the people of this country in a public capacity, generally by communities perfectly solvent, the liability for which is disowned or ignored and left unsatisfied. With the accumulation of interest and the natural increase of municipal and State defalcation, unless there should be a radical change in public policy in relation to this matter, the end of the next ten years will see that indebtedness swelled to a thousand millions of dollars. In a few years more, if nothing out of the ordinary course occurs, the volume of the repudiated public debts of the people of the United States will reach and overpass the national debt, now about $1,500,000,000, one growing as the other diminishes.

The disposition on the part of wealthy communities to shirk their pecuniary obligations has had many curious and striking illustrations. A number of Arkansas counties combined to resist the collection of bonds amounting to over two millions of dollars, on the ground that in transcribing the statute under which the bonds were issued, after its passage by the Legislature, the copyist had substituted an immaterial word of three letters for another immaterial word of two letters. A Missouri county issued bonds to the extent of its power. The bonds were indifferently printed, and the purchasers asked to have more presentable instruments substituted for them. The county authorities kindly complied with their request, and then set up the defense that the first bonds had exhausted their authority, and the new ones were an overissue. A Kansas county, threatened with suit on bonds, elected officials upon the understanding that they were to keep in hiding during their term of office. When public business demanded their presence at the county seat, they entered it after night had fallen and departed before the morning had dawned. The managing officials of a Missouri county, similarly situated,

were accustomed to meet only when the shire-town was carefully picketed against the approach of enemies and strangers, and service at the suit of the holders of its bonds was not obtained until a bailiff of the court, in the disguise of a drunken tramp, entered the place unchallenged and staggered into the presence of those against whom he held a writ. The commissioners of an Arkansas county used to resign as soon as they had transacted pressing public business, having an understanding with the Governor of the State that they were to receive fresh commissions when new business arose, to be surrendered as soon as it was transacted.

Everybody has heard of the shift of Memphis, Tennessee, when it wanted to rid itself of its debts, in committing corporate suicide by having its city charter repealed by the legislature of the State, and its territory relegated to "a taxing district." Duluth, the famous "zenith city of the unsalted seas," showed even greater ingenuity. That ambitious young city had taken into its corporate limits a liberal area of prairie and forest entirely innocent of improvements, and when the burden of its debts became too heavy to be conveniently borne, it had carved out of it "the village of Duluth," so shaped as to include all the settlement, while the city with the city's liabilities, was left like a veritable scape-goat in the wilderness outside. But a youthful city in Kansas displayed the keenest tact and enterprise. Having incurred all the debt it could, it secured a section of the prairie adjoining its corporate limits, quietly moved its houses to it, and left the old deserted site to the mercy of its creditors — literally running away from its debts.

But, of course, great States would not condescend to the shabby tactics and sharp contrivances to overreach creditors that might, not unreasonably, be expected of a mushroom city on the margin of Lake Superior or a newly organized and thinly settled county on the Kansas frontier; least of all venerable and blue-blooded commonwealths like Virginia, North Carolina, Louisiana, etc. Let us see: At the close of the rebellion, Virginia owed, principal and interest, about forty million dollars. Of the validity of the debt there was no question, but the State found herself deprived of one-third of her territory and resources through the action of the General Government in creating the new State of West Virginia. With the dismemberment the holders of her bonds had nothing to do; but because of it, on

the plea that she had been divested of one-third of her debt-paying ability, Virginia announced that, so far as she was concerned, they should be losers to the extent of one-third of their claims. She accordingly declared herself ready to take up the old bonds, and in place of them issue new ones representing two-thirds of their amount, on which she would pay six per cent. interest. The interest, however, was not paid, and she then offered to renew the obligations with a third issue of bonds, bearing three per cent. interest for a time, then four per cent., and then five per cent.; and to insure the payment of the interest, the coupons from the bonds were to be receivable for State taxes. Again, the interest was defaulted on, and then came what was known as "the Riddleberger bill," proposing a fourth bonded issue, in the amount of which there was to be a reduction of forty-seven per cent., the interest for the entire life of the bonds to be three per cent. And then, as Virginia's creditors had got used to being robbed, and the balance to be allowed them did not amount to very much anyhow, she concluded, under the inspiration of her "Re-adjuster" movement, to practically free herself from the residue of the debt she had acknowledged. This she accomplished by means of a very ingenious statute intended to prevent the use of the interest coupons for tax-paying, and which alone gave them or the bonds any real value. Upon the pretext that spurious bonds and coupons were in circulation, which, it seems, had no justification in fact, it was provided that the tax should first be paid in money, after which the coupon-holder might sue the State, the case to be tried before a Virginia judge and jury; and if he succeeded in establishing the validity of his demand to their satisfaction, he might then have a judgment to be paid out of any funds of the State available for the purpose. But as proof of the genuineness of one coupon was not to help the others on the same bond, of which there were sixty-four in all, and consequently sixty-four law-suits would be necessary, it will be seen that the cost of collection would largely exceed the amount at issue. The statute was very appropriately called the "coupon-killer." Its author, then a member of the Virginia Legislature, has since been promoted to the United States Senate. His merits as a legislator for one State being so conspicuous, to enlarge his sphere of usefulness, he has been made a law-maker for the people of the whole country.

In order to secure recognition as a separate State, West Virginia had to promise payment of her share of the old State debt. Accordingly, in the constitution she presented to Congress, it was declared that "An equitable proportion of the public debt of the commonwealth of Virginia shall be assumed by the State, and the Legislature shall ascertain the same as soon as may be practicable, and provide for the liquidation thereof by a Sinking Fund sufficient to pay the accruing interest and redeem the principal in thirty-four years." It was on that pledge that West Virginia was permitted to enter the Federal Union. But recognition as a State being secured, she proceeded to exercise a State's prerogative in the formation and adoption of a new constitution with the foregoing obligation left out; and although twenty years have elapsed and Virginia's creditors have again and again appealed to the new State to fulfil her promise, she has done nothing for them, and makes no sign of doing anything.

But peculiar as has been Virginia's treatment of her creditors, her next-door neighbor, North Carolina, has not been far behind her. When in accordance with the terms of bonds she had issued certain taxes were to be levied and collected for payment of the interest on them, and her officers refusing to execute the contract, were mandamused to compel them to do their duty, she abolished the writ of mandamus altogether within her borders. Nor have other great States been lacking in ingenuity of the same sort. When Georgia wanted to throw off a large part of her bonded debt, she appointed a commission, made up entirely of her own citizens, to investigate and report as to what obligations she should recognize and what she should reject. The bondholders were allowed no voice in the selection of the commission, and on the recommendation of that interested and one-sided tribunal, bonds representing millions of money were cast aside. Alabama pursued precisely the same course.

When Louisiana wanted to cut down her debt, she asked her creditors to accept new bonds for sixty cents on the dollar of their claims, and, as an inducement, added to her constitution an article stipulating that the bonds referred to are "hereby declared to create a valid contract between the State and each and every holder of said bonds, which the State shall by no means and in no wise impair ; also providing for an annual tax, the proceeds of which were to be sacredly applied to paying the interest on the bonds. The bonds were to bear seven per cent. interest.

But when the reduction in the debt had been secured, the State again changed her constitution, this time stipulating that only two per cent. interest should be paid on the bonds, unless their holders would accept new paper for seventy-five per cent. of the face amount, in which case they were to get four per cent. interest.

Arkansas, to aid in the construction of railroads and levees, issued bonds for some millions of dollars. But after the bonds had been sold at good prices, and the proceeds invested in permanent improvements, she made the important discovery that her constitution required the ayes and noes to be called in the passage of all statutes, and that the record failed to show that that formality had been observed in enacting the bond statute. She accordingly lost no time in having a case involving the question brought before her own Supreme Court, which duly decided the bonds to be unconstitutional and void, and thereupon the leading journal of the State published an article congratulating the people of Arkansas on the fact that "a great burden had been lifted from their shoulders." There was no sympathy expressed for the bondholders whose money had been appropriated.

The latest and, in some respects, worst case is that of Tennessee. After years of dickering highly discreditable to a great State, Tennessee and her creditors agreed on sixty cents as the figure at which the State's obligations should be settled. The compromise was ratified by the legislature, and the old securities were largely exchanged for new ones representing forty per cent. less of face value. But scarcely are the new obligations issued when Tennessee, having gone through a revolutionary political campaign and election, utterly discards both them and the agreement on which they were based. Without consulting the creditors at all, she legislates to substitute for the new bonds still newer ones at fifty cents on the dollar; and her present Chief-Magistrate, Governor Bate, is credited with declaring in a public address that, if the bondholders don't accept that amount, "then the bondholders may rot." For the sake of ten cents on the dollar, Tennessee is willing to break faith with the men who have furnished the money for her most valuable public improvements and the best friends she ever had, and in so doing has exhibited to the world the estimate she puts on her own reputation for fair dealing, It is not too much to say that, in the eyes of

the majority of Tennesseeans, the honor of their State is a very cheap commodity.

But in no particular has so much sagacity been shown as in the so-called compromises of some of the delinquent States with their creditors. Without direct repudiation, and yet without payment, they have managed to get rid of a large portion of the debts they could not dispute. Professing great sympathy with their unpaid creditors, but at the same time claiming to be very poor themselves, they have passed laws to settle in new paper at a heavy reduction on their original liability, taking good care to leave no hope of better terms to those creditors who might fail to come into the arrangement. The creditors, glad to get anything, have taken what was offered them. North Carolina paid off a large portion of her debt in new obligations, carrying a lowered rate of interest, at fifteen, twenty-five, thirty-three and one-third, and forty cents on the dollar. South Carolina, after rejecting $6,000,000 of her bonds altogether, settled the rest at fifty cents on the dollar. Alabama in that way reduced a very cumbersome liability to one of quite moderate proportions. Minnesota, after keeping her creditors waiting for twenty-three years, gave them new paper at fifty cents on the dollar, although by the act of settlement she admitted the justice of the whole demand. Virginia, Louisiana, and Tennessee, as we have seen, have practiced even sharper tactics. Through their various "settlements" they have materially diminished the amount of their outstanding paper, while their creditors seem very little nearer getting any money than they were before.

But the three States just named are not the only ones that have realized the advantage of repeated adjustments of their liabilities. In 1873 Alabama compromised $4,768,000 of eight per cent. bonds, which she had indorsed for railroad companies, down to $1,192,000 in new securities bearing seven per cent. interest; and in 1876 compromised this last issue down to $596,000, bearing five per cent. The same State, in 1874, by means of a compromise of the kind described, scaled $5,800,000 of eight per cent. indorsed bonds down to $1,000,000 at five per cent.; and in 1876, by another compromise, reduced the interest to two per cent. for five years, and so on up to five per cent. again, rejecting all interest, however, accruing before January 1, 1877.

The cases just mentioned clearly show that settlements with repudiators do not necessarily settle, and that re-adjustments

may adjust nothing. Nor is there anything very remarkable in the fact. The spirit of repudiation, when aroused, is not likely to find any point above zero at which it can be satisfied. When conscience is eliminated, and the old-fashioned law prevailing between debtor and creditor is set aside, nothing remains but a question of interest to be solved by supreme selfishness, and it is perfectly natural that the party having the upper hand should, from time to time, insist on another turn of the screw. A community that knows it has the power to do as it pleases, and fails to acknowledge the binding obligation of abstract justice, is not likely to be at all delicate in its exactions. It is as easy to take the horse as the bridle when the thief is in possession of the paddock.

If individuals, instead of States, had done the thing described, it is easy to tell what would be the effect upon their standing with all fair-minded men. But perhaps it is not remarkable when States do them that they should not be lacking in apologists and defenders. A fair sample of the argument by which their action has been justified, is furnished in a message to the legislature of North Carolina by a former Governor of that State, and now one of its United State Senators. Said Governor Vance:

"The public debt, as will be seen by the treasurer's report, amounts to $16,960,095, to which is to be added $10,160,182 unpaid interest. This is known as the recognized debt, as contradistinguished from the Special Tax bonds that are rejected. What shall be done with it, is a question that demands your best consideration. It is out of the question for us to attempt to pay its face value. Indeed, I do not conceive that there is any moral obligation on us to do so, nor do our creditors expect it of us. Quite one-half of our property, upon which one-half of our bonds were based, was wantonly destroyed by consent of a large majority of those who hold them, and no court of conscience on the earth would permit a creditor to destroy one-half of his security and claim full payment out of the remainder."

As North Carolina was one of those States that inaugurated the war, it would seem hardly fair that the consequence should be visited upon the heads of her creditors, even if they had all been actively on the other side during the conflict, instead of being, as many of them were, residents of foreign countries. Nor was there more logic or equity in the proposition to charge up against the bondholders a share of North Carolina's loss of slave property,—for that was the loss mainly referred to,—

when bondmen were changed to freemen. Individuals may have been impoverished through emancipation, but the State retained the men with all their bone, and sinew, and muscle, and it was the State that owed the debt.

The grounds on which the repudiating States, except Minnesota, have sought sympathy, and obtained it, have been their supposed poverty, and the alleged wrongful issue of bonds by "carpet-bag" governments. If they had exhibited a stronger disposition to pay according to the measure of their ability, which would at all times have fully satisfied their creditors, they would be entitled to much greater consideration on the first-mentioned ground. But, in point of fact, the States have been made richer instead of poorer by the results of the war, and they can no longer claim exemption from the duties of honest debtors on account of previous losses. On the 20th of last October, the "Times-Democrat," of New Orleans, published a sixty-column article giving a complete statement of the financial condition and progress of twelve Southern States, the statistics being furnished by their own governors, of which ten are repudiators; viz., Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Tennessee, and Arkansas. The figures given show that in the past four years, that is, since the last national census was compiled, the twelve States have added to their wealth the enormous sum of six hundred and forty-one millions of dollars,—a sum more than sufficient twice over to pay every dollar of the defaulted State debt. By way of contrast with the "Times-Democrat's" columns of figures, it would be interesting to give the prices for which the bonds of the States mentioned are selling at the New York Stock Exchange, some of those there listed being purchasable at from two and one-half to ten cents on the dollar of their face value. And as for many of their unlisted securities, although lawfully issued, and once disposed of for a full consideration, they would scarcely find takers if given away.

What absurdity, if not what dishonesty, to talk about those States not being able to do more than they are doing for the redemption of their credit! How ridiculous to claim for them that they do not pay the full measure of their debts because they cannot pay them, when we find the city of Poughkeepsie, in the State of New York, with only twenty thousand inhabitants, to-day, without a murmur of complaint, paying interest on a bonded

indebtedness more than one-third the magnitude of that recognized by either of the great States of North and South Carolina, and under which they stagger and groan. It is a fact that the same little city of Poughkeepsie — and its case is not particularly exceptional among north-eastern communities — to-day pays more interest in cash to its bond-holding creditors than either of the States of Virginia, Tennessee, Arkansas, Mississippi, or Florida, although their aggregate bonded indebtedness amounts to nearly one hundred and fifty millions of dollars.

The talk about the frauds perpetrated by carpet-bag governments in issuing the discarded bonds has, doubtless, done far more to extenuate the conduct of the defaulters in the eyes of the general public than anything else. So much has been said on that score that it is the common impression that all, or nearly all, the bonds in question have had that origin. Such, however, is by no means the fact. All of Virginia's debt antedates the carpet-baggers. Mississippi's bonds have been in default since 1842. The majority of Tennessee's issues were under a law passed in 1853. Most of Louisiana's liabilities preceded the war, as did a large portion of those of Alabama, Georgia, Florida, and the two Carolinas. When the carpet-baggers were expelled from Arkansas, the legislature of that State adopted a resolution repudiating a large portion of her securities on the ground that they had been imposed on her by "alien adventurers"; but bonds representing over a million dollars of her discarded debt have been held in England for more than forty years, and among her creditors, who get neither principal nor interest, is the treasury of the United States, which, away back in 1838, invested half a million of dollars of Smithsonian Institute funds in Arkansas securities, on which there has been no interest paid since 1842.

Nor is it a fact that the whole of the so-called carpet-bag bonds were fraudulently or unwisely issued. The proceeds were mostly invested in railroads and other public improvements greatly needed, and at the time generally demanded by citizens of all shades of political opinion. As a rule, the States would be gainers by the investment, if every one of the bonds had to be paid in full. Indeed, it has not been so much on account of alleged impropriety in the creation or disposition of the securities that they have been rejected, as on the sentimental ground that they were issued by usurpers; that is, by authorities repre-

senting the military power of the General Government and a sentiment of loyalty to it, rather than by disloyal majorities of the population. Excesses in bond-making were, undoubtedly, perpetrated by some of the carpet-bag administrations; but as a whole their financial records compare very favorably with those of their successors. The highest estimate ever put upon their aggregate misappropriations, and that, doubtless, was much exaggerated, has been twenty millions of dollars, while their successors have deliberately perpetrated a robbery of the creditors of the States to the amount of nearly three hundred millions.

The substance of the whole matter is, that twelve States of the American Union owe a very large sum of money which they are perfectly able to pay, which they ought to pay, but which they will not pay, and which they cannot, by any of the usual processes employed against delinquent debtors, be made to pay.

The question now arises, What is to be done with reference to these debts? Certain it is that the Supreme Court of the United States, in its recent rulings sustaining the "coupon-killer" statute of Virginia, and the repudiating enactments of Louisiana, has laid itself open to serious criticism,—a criticism fearlessly administered by some of its own dissenting members. Said Justice Field, in one of those cases:

> "I find myself bewildered by the opinion of the majority of the Court; I cannot comprehend it, so foreign does it appear to be from what I have heretofore supposed to be an established and settled law."

Whoever reads the labored arguments of the majority of the highest court in the land to prove that it is powerless to prevent and redress the plainest violations by the States of the highest law of the land, and the stinging censure passed upon its position by the minority of its members, must feel that there can be no more humiliating chapter in our national history, although it may be uncertain whether the blush of shame and indignation which comes to his cheek will be for the laws passed upon by the Court, or for the Court that passes upon the laws.

So far as the liabilities of defaulting cities, counties, townships, etc., are concerned, the Government has created courts with adequate jurisdiction and powers to determine the rights of the parties, and redress such wrongs as may be shown to

exist; and has given the creditors access to them, which is all that can fairly be asked. But although States are merely larger municipalities and not entitled, by reason of their greater resources and proportions, to any exceptional exemption from the obligation to deal honestly with all men, the Government gives their creditors no such opportunity; on the contrary, it has taken it from them, after having been conferred by the men of an earlier period.

It is clear that the obligated States themselves will not provide for these debts. What, then, remains to be done? Our answer is: Let the Government, which has full power in the premises, and which can promptly act through a simple majority of Congress, at once take steps to assume and arrange for the settlement of the debts of the delinquent States on some basis equitable to all concerned. As a matter of fact, a comparatively small amount of money or obligations would make a satisfactory disposition of the whole business. For such a policy there are several most potent reasons.

The General Government, in fact, is the only power which possesses the moral as well as legal ability to satisfy these claims, which it can speedily do through the action of Congress and its control of the national purse. So long as it fails to do so, and furnishes no means of redress through its courts, the provision of the Constitution that it was created, among other things, "to establish justice," is a misstatement and carries a reproach that should be removed. Many of these repudiated bonds belong to citizens of other countries, and this country has largely got the benefit of the bonds in the construction of railroads and other public enterprises of national importance. The bonds known as the "carpet-bag" issues are more a creation of the General Government than of the States, having been put forth by direction of authorities representing the General Government rather than the people of the States.

Our General Government has been a party—almost a *particeps criminis*—to repudiation in several of the States. The President of the United States has freely given the patronage and countenance of his high office in behalf of the repudiation movement in Virginia; many Senators and Congressmen, representing non-defaulting States, have pursued a similar course. The Supreme Court of the United States has tipped the scales of justice in the same direction. As a sequence to the success of

the repudiation movement in Virginia, and the outside support it has received, there has been a violation of a solemn agreement entered into between the State of Tennessee and its creditors, and all efforts on the part of other defaulting States to arrange with their creditors, largely for the same reasons, have ceased. These are facts as indisputable as any known to history.

The Government should care for these debts; the twelve commonwealths that are in default contain one-fourth of the entire population of the country. The public morals demand it; the severest reproach to-day attaching to Americans, as a people, is their indifference to public obligations. The general financial interest of the country demands it; America is yet a borrowing country, and must remain such for many years to come. The national security demands it; our Government owes its life to the credit of its bonds. Bonds are, indeed, a surer defense than bayonets; they create bayonets. Without the means of raising money, the strongest of peoples in the hour of danger would be powerless. I have said enough, however, to demonstrate that the question of redeeming repudiated State obligations is not merely an affair between the delinquent communities and their creditors; and for the remedy suggested there are plenty of precedents. Twice already has the General Government assumed and satisfied heavy debts contracted by the States; once in the early history of the nation, and again at the conclusion of the war of the rebellion. The same can be said of the gift of millions of acres of the public lands to the States.

The question is, whether the Government of the United States, in this matter of repudiated State obligations, will do anything for the honor of the nation; for it is something that involves the honor of the whole people. If a number of our States will pursue toward their creditors, whose fair dealing is undisputed, a course more shameless than that of Turkey or Egypt, and the General Government is so powerless that through its courts and other agencies it can do nothing to bring them to justice, or so indifferent that, with an overflowing treasury and ample power, it makes no effort to remedy this wrong; if the President, and Senators, and other public functionaries will use the Government patronage to strengthen the hands of the repudiators, instead of taking the part of the innocent victims of their dishonesty; if our political parties will cater to the

wishes and ambitions of the wrong-doers, in the hope of securing their support for partisan measures and interests, particularly that party whose representatives have created the whole of the defaulted State bonds which are most peremptorily discarded, and which has professed to be especially zealous in behalf of all forms of public credit; if the great body of our people can look upon such things with unconcern, virtually giving them their sanction, and making no effort to compel their rulers and legislators to respect the public faith and maintain the public honor, then the inevitable and just verdict of the civilized world will be, that we *are* a nation of rascals.

JOHN F. HUME.

MAN AND BRUTE.

A FEW months ago I published a work entitled "Mental Evolution in Animals," in which I attempted to trace, as carefully and as thoroughly as I was able, the principles which have probably been concerned in the development of mind among the lower animals. This work, I believe, has already been reprinted in America; and seeing that under the existing state of matters with reference to copyright an author on this side of the Atlantic is precluded from securing any pecuniary interest in the sale of his work upon the other side, I am free to allude to this book as constituting the basis of the present paper. In other words, I shall assume it as established that the principles of evolution have been shown to apply to the phenomena of mind as we find them presented in the lower animals; so that throughout the whole range of the animal kingdom, with the exception of man, we have satisfactory evidence of these phenomena having all been due to processes of a natural and continuous development, the causation of which is now in a large measure ascertained.

Starting, then, from this position, I desire to render a brief epitome of the leading points in another work on which I am now engaged, and which is concerned with the attempt to prove, first, the fact of "mental evolution in man," and, secondly, the principles which, in this case, as in the case of the lower animals, have probably been concerned in the process. And here, I think, it is not too much to say that we have a problem which is not merely the most interesting of those that have fallen within the scope of my own work, but perhaps the most interesting that has ever been submitted to the contemplation of our race. If it is true that "the proper study of mankind is man," assuredly the study of nature has never before reached a territory of thought so important in all its aspects as that which, in our own generation, it is now for the first time approaching. After

centuries of intellectual conquest in all regions of the phenomenal universe, man has at last begun to find that he may apply in a new and most unexpected manner the adage of antiquity, "Know thyself." For he has begun to perceive a strong probability, if not an actual certainty, that his own living nature is identical in kind with the nature of all other life, and that even the most amazing side of that nature — nay, the most amazing of all things within the reach of his knowledge — the human mind itself, is but the topmost inflorescence of one mighty growth, whose roots and stem and many branches are sunk in the abyss of planetary time.

The problem, therefore, which in this generation has now, for the first time, been presented to human thought, is the problem of how this thought itself has come to be. A question of the deepest importance to every system of philosophy has been raised by the study of biology, and it is the question whether the mind of man is essentially the same as the mind of the lower animals, or, having had, either wholly or in part, some other mode of origin, is essentially distinct, differing not only in degree, but in kind, from all other types of physical existence. Now, seeing that upon this great and deeply interesting question opinions are now much divided, even among those most eminent in the walks of science who agree in accepting the principles of evolution as applied to explain the corporeal constitution of man and the mental constitution of the lower animals, it is evident that the question must be a large one. How large it is, and into what matters of intricacy it leads, I need not here wait to show. I merely wish to observe that it is impossible to do it justice within the limits of a single article, and therefore that in this brief *resumé* of my own investigations concerning it, I shall avoid all side issues and matters of technical detail.

First, then, let us consider the question on purely *à priori* ground. In accordance with our original assumption, the process of organic and of mental evolution has been continuous throughout the whole region of life and of mind, with the one exception of the mind of man. On grounds of a very large analogy, therefore, we should deem it antecedently improbable that the process of evolution, elsewhere so uniform and ubiquitous, should be interrupted at its terminal phase; and I think that, looking to the very large extent of the analogy, this antecedent presumption is really so considerable that it could only

be fairly counterbalanced by some very cogent and unmistakable facts, showing a difference between animal and human psychology so distinctive as to render it in the nature of the case virtually impossible that one could ever have graduated into the other. This I posit as the first consideration.

Next, still restricting ourselves to the *à priori* aspect of the matter, it is unquestionable that human psychology in the case of every individual human being presents to actual observation a process of gradual development, or evolution, extending from infancy to manhood; and that in this process, which begins at a zero level of mental life and may culminate in genius, there is nowhere and never observable a sudden leap of progress, such as the passage of one order of psychical being into another distinct in kind might reasonably be expected to show. Therefore, it is a matter of observable fact that, whether or not human intelligence differs from animal in kind, it certainly admits of gradual development from a zero level; and to this we must add that, so long as it is passing through the lower phases of that development, it assuredly ascends through a scale of mental faculties which are *pari passu* identical with those that are permanently presented by the psychological species of the animal kingdom. These facts, which I present as a second consideration, tend still further, and I think most strongly, to increase the force of the antecedent presumption against the process of evolution having been discontinuous in the region of mind.

Again, it is likewise a matter of actual observation that in the history of our race, as recorded in documents, traditions, antiquarian remains, and flint implements, the intelligence of the race has been subject to a steady process of gradual development—a general fact which admits of any amount of special corroboration by comparing the psychology of existing savages, where the process of evolution in the past has not been so rapid or has in part been arrested, with that of civilized man. This is the last consideration that I shall adduce of the *à priori* kind, and its force consists in the fact of its proving that if the process of mental evolution was interrupted between the anthropoid apes and primitive man, it must again have recommenced with primitive man, and since then have continued as uninterruptedly in the human species as it previously did in the animal species. This, to say the least, upon the face of the indisputable facts, or from a merely antecedent point of view, appears to me a

highly improbable supposition. At all events, it certainly is not the kind of supposition which men of science are disposed to regard with favor elsewhere; for a long and arduous experience has taught men of science that the most helpful kind of supposition which they can bring with them into their investigations of nature is that kind of supposition which recognizes in nature the principle of continuity.

Taking, then, all these *à priori* considerations together, they must, in my opinion, be fairly held to make out a very strong *prima facie* case in favor of the view that there has been no interruption of the developmental process in the course of psychological history, but that the mind of man, like the mind of animals, and, indeed, like everything else in organic nature, has been evolved. For these considerations show, not only that on analogical grounds any such interruption must be held as in itself improbable; but, also, that the human mind unquestionably admits of having been slowly evolved from the zero level, seeing that in every individual case, and during many past millenniums in the history of our species, the human mind actually does and has undergone the process in question.

In order to overthrow so immense a presumption as is thus erected on *à priori* grounds, the psychologist must fairly be called upon to supply some very powerful considerations of an *à posteriori* kind, tending to show that there is something in the constitution of the human mind which renders it impossible, or, at all events, exceedingly difficult, to imagine that it can have a genetic relation to mind of lower orders. I shall, therefore, now proceed to consider, as impartially as I can, the arguments which have been adduced on this side of the question.

The theory that animals are unconscious machines need not detain us, for no one at the present day is likely to defend it. Again, the distinction between human and brute psychology, which has always been taken, more or less, for granted, viz., that the one is rational and the other not, may similarly be set aside, if we understand by "rational" merely the power of drawing inferences from observations. That there is no distinction of this kind to be made between men and animals I hold to be abundantly proved by the numberless instances of the display of rationality by brutes,—rationality, I mean in the only strict and accurate sense of the term just explained. Of course the faculty of drawing inferences from observations is immensely

more developed in man than it is in any brute, but with this point we are not now concerned.

Again, the theological distinction between the man and the brute may be passed over, seeing that it rests upon a dogma with reference to which scientific inquiry has no point of legitimate contact. Whether or not the conscious part of man differs from the conscious part of brutes in being immortal, and whether or not the "spirit" of the one differs from the "soul" of the other in any particulars of kind, dogma itself must hold that science has no voice in determining. For, from the nature of the case, any information of a positive kind relating to these matters can only be expected to come by way of a revelation; and, therefore, however widely science and dogma may differ on other points, they are at least agreed upon this one: if man has a "spirit" which differs thus from the "animal soul," Christianity and Philosophy alike proclaim that only by a Gospel could the fact of this "life and immortality be brought to light." *

Aristotle and Buffon held that brutes differ from man in having no power of mental apprehension. This dictum appears to me unquestionably opposed to all the facts of observation, and may be sufficiently met by the remark of Jureau de la Malle: "Si les animaux n'étaient pas susceptibles d'apprendre des moyens de se conserver, les espèces se seraient anéanties."

Locke maintained, and he has been followed by many writers both in psychology and general literature, that the mind of the brute differs essentially from that of the man in not being able to form abstract ideas. Now, it must be observed that Locke here restricts the term abstraction to that higher manifestation of the faculty which consists in thinking about an abstraction as an abstraction. I cannot find that he denies to animals the power which they unquestionably possess of forming general ideas of qualities as apart from any particular objects in which the qualities may inhere. A dog, for instance, like a young child, has a general idea of hot and cold, good-for-eating and bad-for-eating, etc., although we have no evidence to show that he ever thinks about this idea as an idea, or sets the idea itself before his mind as an object of contemplation. To me, therefore, it appears that Locke, when

* I neglect to consider the view of Bishop Butler, and of others who have followed him, that animals may have an immortal principle as well as men, for this view serves to identify, and not to separate, the two orders of mind.

properly understood, has here hit the nail upon the head. The one great distinction, and indeed the only one which can be shown to obtain between the two orders of mind in question, consists in the power which the human mind displays, not merely of forming abstract ideas of qualities as apart from particular objects, but of thinking about these abstractions afterward as abstractions. This is the initial or basal distinction. But, narrow at first as the space included between two lines of rail at their point of divergence, we have here the beginning of a difference which is destined to end at the opposite poles of mind. For, by a continuous advance along the same line of development, the human mind (we may see the process exemplified in the psychogenesis of every child) is enabled to think about abstractions of its own making, which are more and more remote from the sensuous perceptions of concrete objects; it can unite these abstractions into an endless variety of ideal combinations; these, in turn, may become elaborated into ideal constructions of a more and more complex character; and so on, till we arrive at the full powers of introspective thought, of which we are each one of us directly cognizant.

This, then, I take to be the only distinction that can be shown to obtain between the two orders of mind. How is it to be accounted for? How are we evolutionists to explain the fact that man alone of animals appears to present the power of representative thought, and thus to surpass the brute creation in the mental part of his being, as far as the mind of a Newton surpasses that of an infant about two years old?

I may take it for granted that all the emotional and intellectual ingredients of animal psychology are identical with those of human, so far as they go. In other words, it is only an additional or superadded growth, prodigious though it be, with which we are at present concerned. Now, the late George Henry Lewes has shown with much lucidity that in animals, as in ourselves, there is what he happily terms a "logic of feelings." That is to say, by constant converse with the circumstances of our life, we acquire a logic, or grouping according to laws, of the presentative processes of the mind, no less than of the representative; the former processes being those which are concerned in perception, and the latter those which are concerned in reflection or thought. Thus, for instance, to feel cold, and to

think of feeling cold, are two very different acts of mind; yet the categories of mental life to which they severally belong are alike under the sway of a "logic." And similarly with animals. Whether or not they are able in any measure to reflect, or think about their own thoughts, there is no question that they are able to adapt their actions to circumstances, or that, like ourselves, they have a logic of feelings.

The logic of signs, at any rate in its higher development, has exclusive reference to the representative faculties, and is first evoked by those exigencies of life which render necessary or desirable the communication of ideas. The more numerous, abstract, and compound the ideas become, the more necessity there is for a corresponding development of the sign-system, whereby alone they admit of being expressed. But this is not all. For, on the other hand, each advance in the development of a sign-system, although primarily evoked for the purpose of communicating ideas already present, afterward reacts upon the structure of indeation in which it arose, in such wise as to advance this structure one further stage in *its* development. And so, by continuous action and reaction, the logic of thought and the logic of signs mutually assist each other's development.

Take, for instance, the case of spoken language, which is the system of signs most generally in use among all the races of mankind. A very little reflection is enough to show of how immense a service are verbal signs as instruments of thought. By giving to an abstract idea a name, we are able, as it were, mentally to handle it, to compound it with other symbolical abstractions of the same kind, and so on till we arrive at verbal symbols of more and more complex qualities, as well as of conception further and further removed from immediate perception. Words are thus like the steps of a ladder, by the help of which we climb into higher and higher regions of abstraction; they are also like coins or bank-notes, into which we manage to condense a large amount of that value which we term meaning; or, to use a still closer analogy, they are like the symbols employed by the mathematician, which may contain in an easily manipulated form the results of a long calculation, no part of which could have been conducted but for the use of other symbols of the same kind. So that, to put the matter briefly, we may say with Max Müller, that the growth of thought and language is coral-like; each generation of living thoughts

secretes around itself the staple forms of words, which in turn serve as the basis for a further generation of thoughts.

Thus it seems to me — and I am not aware that any writer of note has ever ventured to question the view — that, given the faculty of speech, in however rudimentary a degree, and we have given the germ of that difference between the mind of man and the mind of brutes, which may proceed, under suitable conditions as to social requirements, etc., to develop into any conceivable degree of divergent excellence. The only question, therefore, with which as evolutionists we are here confronted is, Why has man alone of animals been gifted with the logos?

To answer this question we must first consider in what the essence of the logos consists. Analysis shows that it consists in the power of predication, or of making a proposition, which is the expression of the power of forming a judgment. Thus far, men of all schools of thought are in agreement, even Mr. Mivart conceding that "if the brute could think 'is,' man and brute would be brothers." I conceive, then, that the only question before us is to explain the possible evolution of the power of predication.

Let it first be remembered that speech in all its forms is nothing more than a highly elaborated system of signs, and that, where adequate intelligence is already present, propositions admit of being made with quite as much distinctness and quite as much rationality by any other comparably elaborated system of signs, as is the case, for instance, with the gesture-language of deaf-mutes or of the American Indians. Next let it be remembered that the germ of the sign-making faculty occurs among animals, at least as far down in the scale as the ants, and that in all the higher vertebrata it is capable of development up to a very considerable level. Pointer dogs make gesture signs, the meaning of which they well understand; terriers will "beg" for food; cats will pull at one's dress to lead one to their kittens in trouble; and a hundred other instances might be given. It is true that in none of these instances have we any evidence of predication, properly so called. But we have the germ of it. And when we have an animal sufficiently intelligent intentionally to translate its logic of feelings into a logic of signs for the purpose of communication, we have an animal which, in effect, is making a proposi-

tion, although it may not know or think about the proposition as a proposition. When a cat or a dog pulls one's dress to lead one to the kittens or puppies in need of assistance, the animal is behaving in the same manner as a deaf-mute might behave when invoking assistance for a friend. That is to say, the animal is translating the logic of feelings into the logic of signs, and, so far as this particular action is concerned, it is psychologically indistinguishable from that which is performed by the deaf-mute; for, under the circumstances supposed, the deaf-mute does not wait to formulate any definite proposition even in his own mind; his only feeling is, "Come, come," and this is directly translated into a gesture sign.

Now, if among animals we thus have, as it were, the protoplasm of the sign-making faculty, it does not seem to me so very hard to understand how it might, under suitable conditions, become organized into the faculty of predication. The quadrumana habitually employ vocal signs as well as gestures whereby to express their emotions, and the comparatively simple logic of their feelings. Let us, then, try to imagine an anthropoid ape somewhat more intelligent than the remarkable chimpanzee which has recently been brought to the Zoölogical Gardens of London, and which in respect of intelligence, as well as hairlessness and carnivorous habits, is perhaps the most human-like of these animals hitherto observed.* It does not seem to me very difficult to imagine that such an animal should extend the vocal signs which it habitually employed in the expression of its emotions to the conventional naming of a few familiar objects, such as food, child, etc. This, indeed, is no more than we find to be the case with a much less intelligent animal, viz., the parrot, which in many cases certainly uses vocal signs as names, whether these vocal signs are words the meaning of which it has been taught, sounds imitative of those made by the objects named, or, as is sometimes the case, wholly arbitrary, such as a peculiar squeak to signify a nut. Whether this nominative stage of

* The carnivorous habits of this animal, which is a new variety, are most interesting. It is surmised that in its wild state it must live upon birds, but in the Zoölogical Gardens it is found to show a marked preference for cooked meat over raw. It dines off broiled mutton chops, the bones of which it picks with its fingers and teeth, being afterward careful to clean its hands. It mixes a little straw with the mutton as we mix vegetables, and after dinner takes a dessert of fruits.

language in the ape was first reached by articulation, or, as is more probable, by vocal sounds of other kinds, and gestures, is immaterial. In either case the advance of intelligence which would thus have been secured, would in time have reacted upon the sign-making faculty, and so have led to an extension of the vocabulary, both as to sounds and gestures. Sooner or later the vocal signs, assisted by gestures, and even leading to a gradual advance of intelligence, would have become conventional, and so, in the presence of suitable anatomical conditions, articulate. The next step would have been the conventional naming of familiar qualities, such as sweet, bitter, and so on. This, be it observed, does not imply any very great advance upon the naming of objects by vocal or gesture signs; but yet it brings us to the very borders of predication. For if once the name of an object and the name of a quality belonging to that object are used in apposition, the copula is latent in thought, and only requires a further advance of intelligence itself to become an object of thought.

Such, I believe, were the steps by which the faculty of predication was reached, and the bridge between the brute and the man constructed. Once this bridge was formed, all subsequent generations of intellect were free to roam over the hitherto unoccupied regions of possibility thus opened up; conscience, religion, sense of beauty, and all or any other product of the higher intelligence of man being but the natural result of the conditions which, in converse with its environment, that intelligence has itself created.

GEORGE J. ROMANES.

THE DRIFT TOWARD CENTRALIZATION.

If our peril is the centralization of power, it has been enhanced by two opinions delivered in the Supreme Court of the United States. By one, the Government may create whatever money it may require to maintain itself in power. By the other, if the Government unlawfully take the property of the citizen, he has no legal means for its recovery.

In the case of Juilliard *vs.* Greenman, the majority of the court held that Congress has the power to make the treasury notes of the United States a lawful tender in the payment of private debts, *i. e.*, legal money of the country. The court relies on the citations it makes from the opinion of the Supreme Court, delivered by Chief-Justice Marshall, in the case of McCulloch *vs.* Maryland (4 W. 316). That case did not relate to the power of Congress to make money, but it brought into consideration the enumerated and incidental powers of Congress; and the rules relating to them established then have never been questioned since, and have always been relied upon by the opponents of paper money.

The incidental powers are only means for executing the enumerated powers: they inhere in them, and are conveyed with and by them. They must, in the words of Chief-Justice Marshall, "consist with the letter and spirit of the Constitution" (4 W. 421). But they are not capable of more precise description than that of the Constitution, "necessary and proper."

Of the enumerated powers, Chief-Justice Marshall says:

"This Government is acknowledged by all to be one of enumerated powers. The principle that it can exercise only the powers granted to it, would seem too apparent to have been required to be enforced by all those arguments which its enlightened friends, while it was depending before the people, found it necessary to urge. The principle is now universally admitted." (4 W. 405.)

These enumerated powers are called by Chief-Justice Marshall "great substantive and independent powers" (4 W. 411). They are substantive, because each is complete in itself. They are independent, because each is created by its own specification, and has its specified function, and is efficient for nothing else.

The power of making money is required for making paper money, as well as for making coin money. And the court implies that abstract power from the enumerated powers "to pay debts," "to borrow money," "to lay and collect taxes"; and to these powers it adds the power to "coin money." But "to coin money" is expressly to make money of coin, and cannot further the implication of anything else. The claim of the court, therefore, must rest on the other powers specified.

Now the power to make money is not a power to use or apply money. And the mere abstract power of making money, as contradistinguished from the power of using it or applying it, cannot serve or tend to pay debts. Therefore the abstract power of making money is not involved in, and cannot be implied from, the enumerated power "to pay debts," which requires only the use and application of money, and authorizes nothing else. The two powers differ as the manufacture of an ax differs from cutting down trees with it.

Neither can the abstract power to make money tend or serve to execute the power "to borrow money," for this does not contemplate even the use or application of money, but contemplates only the procurement of money from other people. Therefore the abstract power of making money is not involved in, and cannot be implied from, the power to borrow money. For like reasons the abstract power of making money cannot tend or serve to execute the enumerated power to lay and collect taxes; for this contemplates and involves only an order and assessment on other people to pay money due from them.

Individuals have no power to make their paper legal money. Yet they pay their debts and borrow money and collect their dues, because for these things the abstract power of making money is not required, or is not, in the words of the Constitution, "the necessary and proper" means. If the abstract power of making money is not involved in the enumerated powers specified, and cannot be implied from them, then the court, in fact, uses those powers as the means of executing the power to make money. And this the law forbids. Chief-Justice Marshall says

of the enumerated powers, that they "cannot be implied as incidental to other powers, or used as a means of executing them" (4 W. 411). And the reason is that heretofore stated, viz., that each of the enumerated powers has its specified function, and is efficient for nothing else.

According to this opinion, Congress has two distinct and different powers of making money; one expressed in the words, "to coin money," the other the power to make money of paper, which it implies from the enumerated powers it specifies. It terms these "analagous" powers. But this is to add a power to the enumerated powers, which the law forbids. As Chief-Justice Marshall says, "the government is acknowledged by all to be one of enumerated powers." If Congress could add to these any one power, it could add any others, and thus pervert our government to one of unlimited powers, all vested in Congress. The opinion of the court cites the following words of Chief-Justice Marshall: "We admit, as all must admit, that the powers of the government are limited, and that its limits are not to be transcended" (4 W. 421).

When the Constitution was formed, the people of the United States held all sovereign powers, and among them the power to say of what the money of the country should consist. They could have conferred this power as they held it, and vested it in its entirety in Congress. But this they did not do, and instead they conferred on Congress the power "to coin money," which is the only power to make money specified in the Constitution. Here the power and the means for executing it are both specified in the same word, "coin." This manifests the intent that the power and the means of executing it should be inseparable. To separate them by substituting other means, as paper for coin, would not, in the words of Chief-Justice Marshall, "consist with the letter and spirit of the Constitution" (4 W. 421), but would violate both. All of a power that can be conveyed is the use of it; and the specification of one use precludes the implication of any other. *Expressum facit cessare tacitum.*

From the nature of powers, every grant of a specified power is a limitation of that power, in the same way and for the same reason that a grant of an estate is, in the accurate language of the common law, a limitation of that estate. And every limitation of a power is a prohibition to transcend it; for, if it had not that effect, it would not be a limitation. The natural

language of a limited power is, "Thus far shalt thou go and no further"; and every limited power covers and disposes of the whole subject to which it relates, for it confers authority to its extent — that is, up to the line it draws — and excludes authority from all beyond it; for both of these effects are involved in its limiting effect. Then the Constitution is a unit, and its articles and sections constitute one instrument, and, like a statute, it is to be so construed as to be consistent with itself, and each part with all the rest. Therefore, what is expressly prohibited in one part of the instrument cannot be implied from any other part, and what is expressly limited in one part cannot be implied without the limitation from any other part of the instrument.

If that is admitted which never was denied — viz., first, that the power of Congress "to coin money" is a limited power; secondly, that the Constitution is one instrument, and must be so construed as to be consistent with itself, and each part with all the rest — then it would seem to be a logical consequence that by the specification "to coin money" Congress is positively excluded from any further power of making money at all.

The opinion of the court claims support from the usages of foreign governments and the Confederated States of this country. It says as follows:

"The governments of Europe, acting through the monarch or the legislature, according to the distribution of powers under their respective Constitutions, had and have as sovereign a power of issuing paper money as of stamping coin. . . . The power of issuing bills of credit and making them, at the discretion of the legislature, a tender in payment of private debts, had long been exercised in this country by the several colonies and States; and during the Revolutionary war, the States, upon the recommendation of the Congress of the Confederation, had made the bills issued by Congress a legal tender. The exercise of this power not being prohibited to Congress by the Constitution, it is included in the power expressly granted to borrow money on the credit of the United States."

But the foreign governments referred to, and the Confederated States, were sovereign powers. Each held, in its own right, all the powers of sovereignty, and among them the sovereign power of prescribing in what the money of its people should consist. But under our Constitution Congress is no more

sovereign than the judiciary, or the executive. Each is but the officer of the sovereign, and can exercise only the power conferred on it. Neither acquires, or can use, any power simply because it is not prohibited to it. This is the difference always recognized between the English national legislature and our own. In England the sovereign belongs to Parliament, which is composed of King, Lords, and Commons, and thus the sovereign is a party to all its acts. Therefore, Parliament may do whatever it is not prohibited from doing, while Congress can only do that which it is authorized to do, because in Congress there is neither sovereign nor sovereignty. Under our Constitution there is no sovereign, in the proper meaning of that word, *i. e.*, an authority with full sovereign powers. The Constitution did not, as the opinion claims, create "a national sovereignty"; but "the national sovereignty," the people of the United States, created the Constitution, and by it divided all sovereign powers between the United States and the several States, so that the former had only the powers conferred on them, and the latter only the powers reserved to them. Chief-Justice Marshall says:

"In America the powers of sovereignty are divided between the government of the Union and those of the States. They are each sovereign with respect to the objects committed to it, and neither is sovereign with respect to the objects committed to the other." (4 Wheaton, 410.)

On this authority Congress has only the power conferred on it, and it has not that sovereignty which, including all sovereign powers, enabled foreign governments, and the Confederated States, to make paper money.

The opinion of the court purports to provide means for the government. But these are expressly provided by the powers "to lay and collect taxes, duties, imposts, and excises," and "to borrow money"; while the power "to coin money" is given to secure an honest and safe money for the business of the people, and the maintenance of public credit. The "Federalist" said:

"The loss which America has sustained from the pestilent effects of paper money on the necessary confidence between man and man; on the necessary confidence in the public councils; on the industry and morals of the people; and on the character of republican government, constitutes an enormous debt against the States chargeable with this unadvised measure; or, rather an accumulation of guilt, which can be expiated no otherwise than by a voluntary sacrifice on the altar of justice, of the power which has been the instrument of it."

In the case of the United States et al. *vs.* Lee (106 U. S. Rs. 196), the action was ejectment for the recovery of the Arlington estate. At the entry of the action in the Circuit Court, the Attorney-General filed a suggestion that for many years the premises had been in the possession of the United States, with claim of title, and appropriated to public uses; and he objected to the jurisdiction of the court, and prayed that all proceedings be dismissed. To this suggestion a demurrer was filed and sustained. At the trial the defendant claimed under a sale to the United States. Under the instruction of the court, the jury found the sale to have been illegal and void; and returned a verdict for the plaintiff, on which judgment was rendered. The case was then carried on writs of error to the Supreme Court of the United States, where the judgment of the court below was affirmed by a majority of five against a minority of four of the justices. The minority of the court sustained the objections taken by the Attorney-General, and stated their reasons as follows:

"The principles upon which we are of opinion that the court below had no authority to try the question of the validity of the title of the United States in this action, and that this court has therefore no authority to pass on that question, may be briefly stated. The sovereign is not liable to be sued in any judicial tribunal without its consent. The sovereign cannot hold property except by agents. To maintain an action for the recovery of possession of property held by the sovereign, through its agents, not claiming any title or right in themselves, but only as the representatives of the sovereign, and in its behalf, is to maintain an action to recover possession of the property against the sovereign; and to invade such possession of the agents by execution or other judicial process is to invade the possession of the sovereign and to violate the fundamental maxim that the sovereign cannot be sued. . . . . These principles appear to us to be axioms of public law." (P. 226.)

The possession of the sovereign by his officers is as unassailable here as it is in England. But from the difference in the institutions of the two countries, their laws differ as to what is the possession of the sovereign; and therefore as to that the decisions in either country cannot be authorities in the other. In England the national sovereignty is in "the wearer of the crown"; that is, in the person of the king, "in whom the majesty of the public resides." His officers in their official action represent his personal authority, as an attorney represents the personal authority of his principal. And thus the official posses-

sion of the officer, whether lawful or unlawful, is the possession of the king, which cannot be legally inquired into, because "the sovereign cannot be sued."

In this country we have no personal sovereign, but instead, a supreme authority vested in the People of the United States. This authority is impersonal, and incapable of personal representation. Its will is declared only by the law. Hence the phrase and the fact that ours is a government of law. And as no one can be the agent of the law for anything unlawful, it follows that the sovereign, the People of the United States, cannot be made a party to any transaction by the illegal act of any of their officers. So that any violation of law by an officer is his unauthorized and unofficial act, for which he is liable individually.

The dissenting opinion does not dispute the opinion of the court, that the sale of the land was illegal. Then it divested no title from the plaintiff, and vested none in the People of the United States, who were not, and could not be made, a party to the illegal action of their officers. The possession of Kaufman and Strong, therefore, was not official, and was not the possession of the sovereign, but their own personal possession. And as it barred the plaintiff from his legal rights, it was a violation of law, for which they were liable as individuals. In their opinion the court said, "The case before us is a suit against Strong and Kaufman, as individuals, to recover possession of property." And they cited four previous cases, in which the court maintained its jurisdiction over actions of ejectment brought against officers holding lands under the government, viz., Meigs *vs.* M'Lungs, lessee, 9 Branch, 11; Wolcox *vs.* Jackson, 13 Peters, 498; Brown *vs.* Huger, 21 How, 305, and Grizar *vs.* M'Dowell, 6 Wall, 363.

The rules which the dissenting opinion claims to be authoritative here as "axioms of public law" belong to the municipal law of England. They are the relics of the earliest and rudest times of its feudal law, when its purpose was to maintain power, and not to administer rights. Under it the Norman Kings depopulated districts to make forests for the royal hunting-grounds. The subject whose land was taken had no redress but that petition which belongs to the relation of sovereign and subject, and which the king might grant or refuse. And so is the

letter of the English law to-day; for under the statute 23 and 24 Victoria, if the queen refuses to grant her fiat, then, in the words of the dissenting opinion, "the suppliant is without remedy." (P. 235.)

The modern reason for the rule is that the sovereign should decide whether the subject's suit for injury done him may consist with the public interests. But the result is, that in feudal England private property may be taken for public use without compensation; while in other countries, from the earliest times, jurists have held it to be a rule of "universal law" that private property could not be taken for public use, without compensation. The civil law established the principle in ancient Rome, and has since extended it over continental Europe. Our Constitution adopted it from the civilization of its time, and it belonged to Eastern civilization. For when the Moors first established themselves in the Spanish cities, they proclaimed as their law, for Moslem and Christian, that private property taken for public use should be paid for.

The reasons of the minority for concurring in the decision of the four previous cases in ejectment, and for non-concurring in the decision of the Arlington case, are stated as follows:

"The view on which this court appears to have constantly acted, which reconciles all its decisions and is in accord with the English authorities is this: the objection to the exercise of jurisdiction over the sovereign or his property is in the nature of a personal objection, which if not suggested by the sovereign may be presumed not to be insisted on," etc. (P. 249.)

But exemption from suit is the sovereign's normal state. It is the incident of his sovereignty, and as absolute as that. It is not conditioned on objections to be made by him, and they cannot be required of him; and whenever it appears, either by the record or the evidence, that the suit is in legal effect against the sovereign, the objection to the suit is the want of jurisdiction in the court, and that is not "in the nature of a personal objection," but one the court must take notice of, and which bars its further action.

Jurisdiction over the United States is not a subject for presumption, for it can be created only by an act of Congress. Chief-Justice Marshall said, in the voice of the court:

"As the United States are not suable of common right, the party who institutes such a suit must bring his case within the authority of some act of Congress, or the court cannot exercise jurisdiction over it." (S. Peters, 444.)

If jurisdiction over the sovereign depends upon an act of Congress, then in all cases the action of the court and of the Attorney-General must be irrelevant to it.

The opinion of the majority of the court in the Arlington case maintains the law as previously held. But the division on the bench, of four against five, brings uncertainty into the future, and makes the protection of the citizen against official power and wrong weaker than it was before.

EDWARD G. LORING.

THE AMERICAN ELEMENT IN FICTION.

CONTEMPORARY criticism will have it that, in order to create an American Literature, we must use American materials. The term "Literature" has, no doubt, come to be employed in a loose sense. The London "Saturday Review" has (or used to have until lately) a monthly two-column article devoted to what is called "American Literature," three-fourths of which were devoted to an examination of volumes of State Histories, Statistical Digests, Records of the Census, and other such works as were never, before or since, suspected of being literature; while the remaining fourth mentioned the titles (occasionally with a line of comment) of whatever productions were at hand in the way of essays, novels, and poetry. This would seem to indicate that we may have — nay, are already possessed of — an American Literature, composed of American materials, provided only that we consent to adopt the "Saturday Review's" conception of what literature is.

Many of us believe, however, that the essays, the novels, and the poetry, as well as the statistical digests, ought to go to the making up of a national literature. It has been discovered, however, that the existence of the former does not depend, to the same extent as that of the latter, upon the employment of exclusively American material. A book about the census, if it be not American, is nothing; but a poem or a romance, though written by a native-born American, who, perhaps, has never crossed the Atlantic, not only may, but frequently does, have nothing in it that can be called essentially American, except its English and, occasionally, its ideas. And the question arises whether such productions can justly be held to form component parts of what shall hereafter be recognized as the literature of America.

How was it with the makers of English literature? Beginning with Chaucer, his "Canterbury Pilgrims" is English, both in scene and character; it is even mentioned of the Abbess that "Frenche of Paris was to her unknowne"; but his "Legende of Goode Women" might, so far as its subject-matter is concerned, have been written by a French, a Spanish, or an Italian Chaucer, just as well as by the British Daniel. Spenser's "Faerie Queene" numbers Saint George and King Arthur among its heroes; but its scene is laid in Faerie Lande, if it be laid anywhere, and it is a bare-faced moral allegory throughout. Shakespeare wrote thirty-seven plays, the elimination of which from English literature would undeniably be a serious loss to it; yet, of these plays twenty-three have entirely foreign scenes and characters. Milton, as a political writer, was English; but his "Paradise Lost and Regained," his "Samson," his "Ode on the Nativity," his "Comus," bear no reference to the land of his birth. Dryden's best-known work to-day is his "Alexander's Feast." Pope has come down to us as the translator of Homer. Richardson, Fielding, Smollett, and Sterne are the great quartet of English novelists of the last century; but Smollett, in his preface to "Roderick Random," after an admiring allusion to the "Gil Blas" of Le Sage, goes on to say: "The following sheets I have modeled on his plan"; and Sterne was always talking and thinking about Cervantes, and comparing himself to the great Spaniard: "I think there is more laughable humor, with an equal degree of Cervantic satire, if not more, than in the last," he writes to "my witty widow, Mrs. F." Many even of Walter Scott's romances are un-English in their elements; and the fame of Shelley, Keats, and Byron rests entirely upon their "foreign" work. Coleridge's poetry and philosophy bear no technical stamp of nationality; and, to come down to later times, Carlyle was profoundly imbued with Germanism, while the "Romola" of George Eliot and the "Cloister and the Hearth" of Charles Reade are by many considered to be the best of their works. In the above hasty enumeration innumerable instances in point are, of course, omitted; but enough have been given, perhaps, to show that imaginative writers have not generally been disowned by their country on the ground that they have availed themselves, in their writings, of other scenes and characters than those of their own immediate neighborhoods.

The statistics of the work of the foremost American writers could easily be shown to be much more strongly imbued with the specific flavor of their environment. Benjamin Franklin, though he was an author before the United States existed, was American to the marrow. The "Leather-Stocking Tales," of Cooper are the American epic. Irving's "Knickerbocker," and his "Woolfert's Roost" will long outlast his other productions. Poe's most popular tale, "The Gold-Bug," is American in its scene, and so is "The Mystery of Marie Roget," in spite of its French nomenclature; and all that he wrote is strongly tinged with the native hue of his strange genius. Longfellow's "Evangeline" and "Hiawatha" and "Miles Standish," and such poems as "The Skeleton in Armor" and "The Building of the Ship," crowd out of sight his graceful translations and adaptations. Emerson is the veritable American eagle of our literature, so that to be Emersonian is to be American. Whittier and Holmes have never looked beyond their native boundaries, and Hawthorne has brought the stern gloom of the Puritan period and the uneasy theorizings of the present day into harmony with the universal and permanent elements of human nature. There was certainly nothing European visible in the crude but vigorous stories of Theodore Winthrop; and Bret Harte, the most brilliant figure among our later men, is not only American, but Californian,—as is, likewise, the Poet of the Sierras. It is not necessary to go any further. Mr. Henry James, having enjoyed early and singular opportunities of studying the effects of the recent annual influx of Americans, cultured and otherwise, into England and the Continent, has very sensibly and effectively, and with exquisite grace of style and pleasantness of thought, made the phenomenon the theme of a remarkable series of novels. Hereupon the cry of an "International School" has been raised, and critics profess to be seriously alarmed lest we should ignore the signal advantages for *mise-en-scene* presented by this western half of the planet, and should enter into vain and unpatriotic competition with foreign writers on their own ground. The truth is, meanwhile, that it would have been a much surer sign of affectation in us to have abstained from literary comment upon the patent and notable fact of this international *rapprochement*,— which is just as characteristic an American trait as the episode of the Argonauts of 1849,—and we have every reason to be grateful to Mr. Henry James, and to his

school, if he has any, for having rescued us from the opprobrium of so foolish a piece of know-nothingism. The phase is, of course, merely temporary; its interest and significance will presently be exhausted; but, because we are American, are we to import no French cakes and English ale? As a matter of fact, we are too timid and self-conscious; and these infirmities imply a much more serious obstacle to the formation of a characteristic literature than does any amount of gadding abroad.

That must be a very shallow literature which depends for its national flavor and character upon its topography and its dialect; and the criticism which can conceive of no deeper Americanism than this is shallower still. What is an American book? It is a book written by an American, and by one who writes as an American, that is, unaffectedly. So an English book is a book written by an unaffected Englishman. What difference can it make what the subject of the writing is? Mr. Henry James lately brought out a volume of essays on "French Poets and Novelists." Mr. E. C. Stedman recently published a series of monographs on "The Victorian Poets." Are these books French and English, or are they nondescript, or are they American? Not only are they American, but they are more essentially American than if they had been disquisitions upon American literature. And the reason is, of course, that they subject the things of the old world to the tests of the new, and thereby vindicate and illustrate the characteristic mission of America to mankind. We are here to hold up European conventionalisms and prejudices in the light of the new day, and thus afford everybody the opportunity, never heretofore enjoyed, of judging them by other standards, and in other surroundings than those amidst which they came into existence. In the same way, Emerson's "English Traits" is an American thing, and it gives categorical reasons why American things should be. And what is an American novel except a novel treating of persons, places, and ideas from an American point of view? The point of view is *the* point, not the thing seen from it.

But it is said that "the great American novel," in order fully to deserve its name, ought to have American scenery. Some thousands of years ago, the Greeks had a novelist — Homer — who evolved the great novel of that epoch; but the scenery of that novel was Trojan, not Greek. The story is a criticism, from a Greek stand-point, of foreign affairs, illustrated

with practical examples; and, as regards treatment, quite as much care is bestowed upon the delineation of Hector, Priam, and Paris, as upon Agamemnon, Menelaus, and Achilles. The same story, told by a Trojan Homer, would doubtless have been very different; but it is by no means certain that it would have been any better told. It embodies, whether symbolically or literally matters not, the triumph of Greek ideas and civilization. But, even so, the sympathies of the reader are not always, or perhaps uniformly, on the conquering side. Homer was doubtless a patriot, but he shows no signs of having been a bigot. He described that great international episode with singular impartiality; what chiefly interested him was the play of human nature. Nevertheless, there is no evidence that the Greeks were backward in admitting his claims as their national poet; and we may legitimately conclude that were an American Homer—whether in prose or poetry—to appear among us, he might pitch his scene where he liked—in Patagonia or on the banks of the Zambezi—and we should accept the situation with perfect equanimity. Only let him be a native of New York, or Boston, or San Francisco, or Mullenville, and be inspired with the American idea, and we ask no more. Whatever he writes will belong to our literature and add luster to it.

One hears many complaints about the snobbishness of running after things European. Go West, young man, these moralists say, or go down Fifth Avenue, and investigate Chatham street, and learn that all the elements of romance, to him who has the seeing eye, lie around your own front doorstep and back yard. But let not these persons forget that he who fears Europe is a less respectable snob than he who studies it. Let us welcome Europe in our books as freely as we do at Castle Garden; we may do so safely. If our digestion be not strong enough to assimilate her, and work up whatever is valuable in her into our own bone and sinew, then America is not the thing we took her for. For what is America? Is it simply a reproduction of one of these Eastern nationalities, which we are so fond of alluding to as effete? Surely not. It is a new departure in history; it is a new door opened to the development of the human race, or, as I should prefer to say, of humanity. We are misled by the chatter of politicians and the bombast of Congress. In the course of ages, the time has at last arrived when man, all over this planet, is entering upon a

new career of moral, intellectual, and political emancipation; and America is the concrete expression and theater of that great fact, as all spiritual truths find their fitting and representative physical incarnation. But what would this huge western continent be, if America — the real America of the mind — had no existence? It would be a body without a soul, and would better, therefore, not be at all. If America is to be a repetition of Europe on a larger scale, it is not worth the pain of governing it. Europe has shown what European ideas can accomplish; and whatever fresh thought or impulse comes to birth in it can be nothing else than an American thought and impulse, and must sooner or later find its way here, and become naturalized with its brethren. Buds and blossoms of America are sprouting forth all over the Old World, and we gather in the fruit. They do not find themselves at home there, but they know where their home is. The old country feels them like thorns in her old flesh, and is gladly rid of them; but such prickings are the only wholesome and hopeful symptoms she presents; if they ceased to trouble her, she would be dead indeed. She has an uneasy experience before her, for a time; but the time will come when she, too, will understand that her ease is her disease, and then Castle Garden may close its doors, for America will be everywhere.

If, then, America is something vastly more than has hitherto been understood by the word nation, it is proper that we attach to that other word, patriotism, a significance broader and loftier than has been conceived till now. By so much as the idea that we represent is great, by so much are we, in comparison with it, inevitably chargeable with littleness and short-comings. For we are of the same flesh and blood as our neighbors; it is only our opportunities and our responsibilities that are fairer and weightier than theirs. Circumstances afford every excuse to them, but none to us. "*E Pluribus Unum*" is a frivolous motto; our true one should be, "*Noblesse oblige.*" But, with a strange perversity, in all matters of comparison between ourselves and others, we display what we are pleased to call our patriotism by an absurd touchiness as to points wherein Europe, with its settled and polished civilization, must needs be our superior; and are quite indifferent about those things by which our real strength is constituted. Can we not be content to learn from Europe the graces, the refinements, the amenities of life,

so long as we are able to teach her life itself? For my part, I never saw in England any appurtenance of civilization, calculated to add to the convenience and commodiousness of existence, that did not seem to me to surpass anything of the kind that we have in this country. Notwithstanding which—and I am far, indeed, from having any pretensions to asceticism—I would have been fairly stifled at the idea of having to spend my life there. No American can live in Europe, unless he means to return home, or unless, at any rate, he returns here in mind, in hope, in belief. For an American to accept England, or any other country, as both a mental and physical finality, would, it seems to me, be tantamount to renouncing his very life. To enjoy English comforts at the cost of adopting English opinions, would be about as pleasant as to have the privilege of retaining one's body on condition of surrendering one's soul, and would, indeed, amount to just about the same thing.

I fail, therefore, to feel any apprehension as to our literature becoming Europeanized, because whatever is American in it must lie deeper than anything European can penetrate More than that, I believe and hope that our novelists will deal with Europe a great deal more, and a great deal more intelligently, than they have done yet. It is a true and healthy artistic instinct that leads them to do so. Hawthorne—and no American writer had a better right than he to contradict his own argument—says, in the preface to the "Marble Faun," in a passage that has been often quoted, but will bear repetition:

> "Italy, as the site of a romance, was chiefly valuable to him as affording a sort of poetic or fairy precinct, where actualities would not be so terribly insisted on as they are, and must needs be, in America. No author, without a trial, can conceive of the difficulty of writing a romance about a country where there is no shadow, no antiquity, no mystery, no picturesque and gloomy army, nor anything but a commonplace prosperity, in broad and simple daylight, as is happily the case with my dear native land. It will be very long, I trust, before romance writers may find congenial and easily-handled themes, either in the annals of our stalwart Republic, or in any characteristic and probable events of our individual lives. Romance and poetry, ivy, lichens, and wall-flowers need ruin to make them grow."

Now, what is to be understood from this passage? It assumes, in the first place, that a work of art, in order to be effective, must contain profound contrasts of light and shadow; and then it points out that the shadow, at least, is found ready to the

hand in Europe. There is no hint of patriotic scruples as to availing one's self of such a "picturesque and gloomy" background; if it is to be had, then let it be taken; the main object to be considered is the work of art. Europe, in short, afforded an excellent quarry, from which, in Hawthorne's opinion, the American novelist might obtain materials which are conspicuously deficient in his own country, and which that country is all the better for not possessing. In "Marble Faun" the author had conceived a certain idea, and he considered that he had been not unsuccessful in realizing it The subject was new, and full of especial attractions to his genius, and it would manifestly have been impossible to adapt it to an American setting. There was one drawback connected with it, and this Hawthorne did not fail to recognize. He remarks in the preface that he had "lived too long abroad not to be aware that a foreigner seldom acquires that knowledge of a country at once flexible and profound, which may justify him in endeavoring to idealize its traits." But he was careful not to attempt "a portraiture of Italian manners and character." He made use of the Italian scenery and atmosphere just so far as was essential to the development of his idea, and consistent with the extent of his Italian knowledge; and, for the rest, fell back upon American characters and principles. The result has been long enough before the world to have met with a proper appreciation. I have heard regret expressed that the power employed by the author in working out this story had not been applied to a romance dealing with a purely American subject. But to analyze this objection is to dispose of it. A man of genius is not, commonly, enfeebled by his own productions; and, physical accidents aside, Hawthorne was just as capable of writing another "Scarlet Letter" after the "Marble Faun" was published, as he had been before. Meanwhile, few will deny that our literature would be a loser had the "Marble Faun" never been written.

The drawback above alluded to is, however, not to be underrated. It may operate in two ways In the first place, the American's European observations may be inaccurate. As a child, looking at a sphere, might suppose it to be a flat disk, shaded at one side and lighted at the other, so a sight-seer in Europe may ascribe to what he beholds qualities and a character quite at variance with what a more fundamental knowledge would have enabled him to perceive. In the second place, the

stranger in a strange land, be he as accurate as he may, will always tend to look at what is around him objectively, instead of allowing it subjectively — or, as it were, unconsciously — to color his narrative. He will be more apt directly to describe what he sees, than to convey the feeling or aroma of it without description. It would doubtless, for instance, be possible for Mr. Henry James to write an "English" or even a "French" novel without falling into a single technical error; but it is no less certain that a native writer, of equal ability, would treat the same subject in a very different manner. Mr. James's version might contain a great deal more of definite information; but the native work would insinuate an impression which both comes from and goes to a greater depth of apprehension.

But, on the other hand, it is not contended that any American should write an "English" or anything but an "American" novel. The contention is, simply, that he should not refrain from using foreign material, when it happens to suit his exigencies, merely because it is foreign. Objective writing may be quite as good reading as subjective writing, in its proper place and function. In fiction, no more than elsewhere, may a writer pretend to be what he is not, or to know what he knows not. When he finds himself abroad, he must frankly admit his situation; and more will not then be required of him than he is fairly competent to afford. It will seldom happen, as Hawthorne intimates, that he can successfully reproduce the inner workings and philosophy of European social and political customs and peculiarities; but he can give a picture of the scenery as vivid as can the aborigine, or more so; he can make an accurate study of personal native character; and, finally, and most important of all, he can make use of the conditions of European civilization in events, incidents, and situations which would be impossible on this side of the water. The restrictions, the traditions, the law, and the license of those old countries are full of suggestions to the student of character and circumstances, and supply him with colors and effects that he would else search for in vain. For the truth may as well be admitted; we are at a distinct disadvantage, in America, in respect of the materials of romance. Not that vigorous, pathetic, striking stories may not be constructed here; and there is humor enough, the humor of dialect, of incongruity of character; but, so far as the story depends for its effect, not upon psychical and personal, but upon physical

and general events and situations, we soon feel the limit of our resources. An analysis of the human soul, such as may be found in the "House of the Seven Gables," for instance, is absolute in its interest, apart from outward conditions. But such an analysis cannot be carried on, so to say, *in vacuo*. You must have solid ground to stand on; you must have fitting circumstances, background, and perspective. The ruin of a soul, the tragedy of a heart, demand, as a necessity of harmony and picturesque effect, a corresponding and conspiring environment and stage — just as, in music, the air in the treble is supported and reverberated by the bass accompaniment. The immediate, contemporary act or predicament loses more than half its meaning and impressiveness if it be reëchoed from no sounding-board in the past — its notes, however sweetly and truly touched, fall flatly on the ear. The deeper we attempt to pitch the key of an American story, therefore, the more difficulty shall we find in providing a congruous setting for it; and it is interesting to note how the masters of the craft have met the difficulty. In the "Seven Gables" — and I take leave to say, that if I draw illustrations from this particular writer, it is for no other reason than that he presents, more forcibly than most, a method of dealing with the special problem we are considering — Hawthorne, with the intuitive skill of genius, evolves a background, and produces a reverberation, from materials which he may be said to have created almost as much as discovered. The idea of a house, founded two hundred years ago upon a crime, remaining ever since in possession of its original owners, and becoming the theater, at last, of the judgment upon that crime, is a thoroughly picturesque idea, but it is thoroughly un-American. Such a thing might conceivably occur, but nothing in this country could well be more unlikely. No one before Hawthorne had ever thought of attempting such a thing; at all events, no one else, before or since, has accomplished it. The preface to the romance in question reveals the principle upon which its author worked, and incidentally gives a new definition of the term "romance,"— a definition of which, thus far, no one but its propounder has known how to avail himself. It amounts, in fact, to an acknowledgment that it is impossible to write a "novel" of American life that shall be at once artistic, realistic, and profound. A novel, he says, aims at a "very minute fidelity, not merely to the possible, but to the probable and ordinary course of man's

experience." A romance, on the other hand, "while, as a work of art, it must rigidly subject itself to laws, and while it sins unpardonably so far as it may swerve aside from the truth of the human heart, has fairly a right to pervert that truth under circumstances, to a great extent, of the writer's own choosing or creation. If he think fit, also, he may so manage his atmospherical medium as to bring out and mellow the lights, and deepen and enrich the shadows, of the picture." This is good advice, no doubt; but it reminds one of the renowned physician advising the poor patient: "All you need is to enjoy yourself thoroughly, to see only pleasant people and places, and to live upon the fat of the land." The patient acknowledges the soundness of the counsel, but he has not the means of following it. We can all understand, however, that the difficulties would be greatly lessened could we but command backgrounds of the European order. Thackeray, the Brontés, George Eliot, and others have written great stories, which were not obliged to be romances, because the literal conditions of life in England have a picturesqueness and a depth which correspond well enough with whatever moral and mental vision we may project upon them. Hawthorne was forced to use the scenery and capabilities of his native town of Salem. He saw that he could not present these in a realistic light, and his artistic instinct showed him that he must modify or veil the realism of his figures in the same degree and manner as that of his accessories. No doubt, his peculiar genius and temperament eminently qualified him to produce this magical change; it was a remarkable instance of the spontaneous marriage, so to speak, of the means to the end; and even when, in Italy, he had an opportunity to write a story which should be accurate in fact, as well as faithful to "the truth of the human heart," he still preferred a subject which bore to the Italian environment the same relation that the "House of the Seven Gables" and the "Scarlet Letter" do to the American one; in other words, the conception of Donatello is removed from literal realism as much further than Clifford or Hester Prynne as the inherent romance of the Italian setting is above that of New England. The whole thing is advanced a step further toward pure idealism, the relative proportions being maintained.

"The Blithedale Romance" is only another instance in point, and here, as before, we find the principle admirably stated in the

preface. "In the old countries," says Hawthorne, "a novelist's work is not put exactly side by side with nature; and he is allowed a license with regard to every-day probability, in view of the improved effects he is bound to produce thereby. Among ourselves, on the contrary, there is as yet no Faery Land, so like the real world that, in a suitable remoteness, we cannot well tell the difference, but with an atmosphere of strange enchantment, beheld through which the inhabitants have a propriety of their own. This atmosphere is what the American romancer needs. In its absence, the beings of his imagination are compelled to show themselves in the same category as actually living mortals; a necessity that renders the paint and pasteboard of their composition but too painfully discernible." Accordingly, Hawthorne selects the Brook Farm episode (or a reflection of it) as affording his drama "a theater, a little removed from the highway of ordinary travel, where the creatures of his brain may play their phantasmagorical antics, without exposing them to too close a comparison with the actual events of real lives." In this case, therefore, an exceptional circumstance is made to answer the same purpose that was attained by different means in the other romances.

But in what manner have our other writers of fiction treated the difficulties that were thus dealt with by Hawthorne?— Herman Melville cannot be instanced here; for his only novel or romance, whichever it be, was also the most impossible of all his books, and really a terrible example of the enormities which a man of genius may perpetrate when working in a direction unsuited to him. I refer, of course, to "Pierre, or the Ambiguities." Oliver Wendell Holmes's two delightful stories are as favorable examples of what can be done, in the way of an American novel, by a wise, witty, and learned gentleman, as we are likely to see. Nevertheless, one cannot avoid the feeling that they are the work of a man who has achieved success, and found recognition in other ways than by stories, or even poems and essays. The interest, in either book, centers round one of those physiological phenomena which impinge so strangely upon the domain of the soul; for the rest, they are simply accurate and humorous portraitures of local dialects and peculiarities, and thus afford little assistance in the search for a universally applicable rule of guidance. Doctor Holmes, I believe, objects to having the term "medicated" applied to his tales; but surely the adjec-

tive is not reproachful; it indicates one of the most charming and also, alas! inimitable features of his work.

Bret Harte is probably as valuable a witness as could be summoned in this case. His touch is realistic, and yet his imagination is poetic and romantic. He has discovered something. He has done something both new and good. Within the space of some fifty pages, he has painted a series of pictures which will last as long as anything in the fifty thousand pages of Dickens. Taking "The Outcasts of Poker Flat" as perhaps the most nearly perfect of the tales, as well as the most truly representative of the writer's powers, let us try to guess its secret. In the first place, it is very short,— a single episode, succinctly and eloquently told. The descriptions of scenery and persons are masterly and memorable. The characters of these persons, their actions, and the circumstances of their lives, are as rugged, as grotesque, as terrible, and also as beautiful, as the scenery. Thus an artistic harmony is established,— the thing which is lacking in so much of our literature. The story moves swiftly on, through humor, pathos, and tragedy, to its dramatic close. It is given with perfect literary taste, and naught in its phases of human nature is either extenuated or set down in malice. The little narrative can be read in a few minutes, and can never be forgotten. But it is only an episode; and it is an episode of an episode,— that of the Californian gold-fever. The story of the Argonauts is only one story, after all, and these tales of Harte's are but so many facets of the same gem. They are not, however, like chapters in a romance; there is no such vital connection between them as develops a cumulative force. We are no more impressed after reading half a dozen of them than after the first; they are variations of the same theme. They discover to us no new truth about human nature; they only show us certain human beings so placed as to act out their naked selves,— to be neither influenced nor protected by the rewards and screens of conventional civilization. The affectation and insincerity of our daily life make such a spectacle fresh and pleasing to us. But we enjoy it because of its unexpectedness, its separateness, its unlikeness to the ordinary course of existence. It is like a huge, strange, gorgeous flower, an exaggeration and intensification of such flowers as we know; but a flower without roots, unique, never to be reproduced. It is fitting that its portrait should be painted; but, once done, it is done with; we cannot fill our

picture-gallery with it. Carlyle wrote the History of the French Revolution, and Bret Harte has written the History of the Argonauts; but it is absurd to suppose that a national literature could be founded on either episode.

But though Mr. Harte has not left his fellow-craftsmen anything to gather from the lode which he opened and exhausted, we may still learn something from his method. He took things as he found them, and he found them disinclined to weave themselves into an elaborate and balanced narrative. He recognized the deficiency of historical perspective, but he saw that what was lost in slowly-growing, culminating power was gained in vivid, instant force. The deeds of his character could not be represented as the final result of long-inherited proclivities; but they could appear between their motive and their consequence, like the draw — aim — fire! of the Western desperado,— as short, sharp, and conclusive. In other words, the conditions of American life, as he saw it, justified a short story, or any number of them, but not a novel; and the fact that he did afterward attempt a novel only served to confirm his original position. I think that the limitation that he discovered is of much wider application than we are prone to realize. American life has been, as yet, nothing but a series of episodes, of experiments. There has been no such thing as a fixed and settled condition of society, not subject to change itself, and therefore affording a foundation and contrast to minor or individual vicissitudes. We cannot write American-grown novels, because a novel is not an episode, nor an aggregation of episodes; we cannot write romances in the Hawthorne sense, because, as yet, we do not seem to be clever enough. Several courses are, however, open to us, and we are pursuing them all. First, we are writing "short stories," accounts of episodes needing no historical perspective, and not caring for any; but so far as one may judge, we write the best short stories in the world. Secondly, we may spin out our short stories into long-short stories, just as we may imagine a baby six feet high; it takes up more room, but is just as much a baby as one of twelve inches. Thirdly, we may graft our flower of romance on a European stem, and enjoy ourselves as much as the European novelists do, and with as clear a conscience. We are stealing that which enriches us and does not impoverish them. It is silly and childish to make the boundaries of the America of

the mind coincide with those of the United States. We need not dispute about free trade and protection here; literature is not commerce, nor is it politics. America is not a petty nationality, like France, England, and Germany; but whatever in such nationalities tends toward enlightenment and freedom is American. Let us not, therefore, confirm ourselves in a false and ignoble conception of our meaning and mission in the world. Let us not carry into the temple of the Muse the jealousies, the prejudice, the ignorance, the selfishness of our "Senate" and "Representatives," strangely so called! Let us not refuse to breathe the air of Heaven, lest there be something European or Asian in it. If we cannot have a national literature in the narrow, geographical sense of the phrase, it is because our inheritance transcends all geographical definitions. The great American novel may not be written this year, or even in this century. Meanwhile, let us not fear to ride, and ride to death, whatever species of Pegasus we can catch. It can do us no harm, and it may help us to acquire a firmer seat against the time when our own, our very own winged steed makes his appearance.

JULIAN HAWTHORNE.

PROHIBITION AND PERSUASION.

"We have suffered more in our time from intemperance than from war, pestilence, and famine combined,—those three great scourges of mankind."

So SPOKE Mr. Gladstone, in the House of Commons, in a debate upon a bill the purpose of which was to remit to the people of the cities, towns, and parishes of the kingdom the right to prohibit the liquor traffic in their several localities. For more than four hundred years—since the time of Edward VI.—the British Government has been endeavoring, through the policy of licensing the liquor traffic, to diminish the evils coming from it to the nation and the people. To this end more than four hundred and fifty separate acts of Parliament have been adopted, but with no appreciable benefit in any way; on the contrary, the condition of the country has been growing constantly worse, so far as intemperance is concerned, and the poverty, crime, and insanity coming from it have steadily increased.

The governments of all civilized countries agree that the liquor traffic must not be left free, because it is dangerous to the public welfare. The only question concerning the legal control of it has been, to what extent it should be restrained, and in popular governments this has been determined by the public opinion of the time. In Liverpool, some years ago, the city authorities adopted a new policy in relation to it, that of granting license for the sale of liquors to all persons who asked for it. The purpose was to test the theory of some prominent members of the council, that to multiply temptations to intemperance would not extend that habit among the people. This policy was persisted in until its results became so marked for evil that Liverpool was known throughout the kingdom as "The dark spot upon the Mersey," and England was acknowledged to be the most drunken country in the world, with more poverty, pauperism, suffering, and crime coming from intemperance than

any other. All this, notwithstanding the honest, earnest, and persistent endeavors of the Government to diminish the evil, by the only remedy known at that time, to wit, stringent license laws.

Royal commissions were appointed to inquire into British intemperance, its cause and its cure. Elaborate reports were made of the results of their inquiries, but not one of them recommended the adoption of the only possible remedy for the tremendous evils of intemperance, viz.: the prohibition and suppression of the liquor traffic. Many earnest men in England turned their attention to this subject, as being more important than any other to the prosperity of the nation and the welfare of the people. Intemperance, with all its evils, was increasing in the country much more rapidly than the population. Pauperism, crime, insanity, and the expenses to the country growing out of them, were shown by the Government Blue-books to be increasing with frightful rapidity.

English temperance men were startled by an announcement in the London "Times," that the Legislature of Maine had reversed the policy of license to the liquor traffic, and had substituted for it the policy of prohibition; and "The Times" added, that if the State of Maine persisted in that policy, it would show better than any other thing could do that its people were qualified for self-government. A minister of the Society of Friends, from Maine, was in England at the time on a religious mission. When crossing George's Channel, on his way to Ireland, a Friend from Manchester inquired of the particulars of this extraordinary movement in Maine. As the result of that conversation, a meeting of seven persons, specially invited, was held in an upper room in Merchants' Exchange, Manchester, and a society was formed with the title, "The United Kingdom Alliance, for the Immediate Legal Prohibition of the Liquor Traffic." From that insignificant beginning, this society has become great, rich, and influential, having, through its parliamentary champion, Sir Wilfred Lawson, its President, obtained from the House of Commons, at three succeeding sessions, a declaration in favor of its proposition to remit to the people the right of prohibiting the liquor traffic in their several localities. Mr. Gladstone, Mr. Bright, and a majority of the Cabinet voted for it, and Mr. Gladstone, on the part of the Government, promised to bring in a bill to give effect to the vote of the House.

It was only after a contest of more than twenty years that Sir Wilfred obtained this victory. At the first division he had only thirty votes, and at the last session of the late Parliament he was beaten by a majority of one hundred and twenty-seven. A general election followed, the question of prohibition being a leading issue, and at the first session of the new Parliament the adverse majority was changed to a victory by a majority of twenty-six votes. Mr. Low, an eminent member of Parliament, objected to prohibition on the ground that is was an interference with personal liberty. Many other leading members of the House followed his lead in opposition to the measure. Mr. Low attempted to make a distinction between vice and crime, and he maintained that as the liquor traffic was not a crime, it could not rightfully be prohibited by law.

About that time I was the guest of a gentleman in the suburbs of London, a warm friend of prohibition and a special friend of John Stuart Mill, who objected to it. My host wished me to meet Mr. Mill, and he was invited to the house. In the course of the conversation Mr. Mill said:

"Do you deny that people have a right to drink whatever they like and as much as they like, provided they do not interfere with the rights of others?"

"No, we do not deny that."

"Very well, then it follows that those who drink have a right to the establishment of places, or at least to the toleration of places, where they can obtain what they wish."

"I beg pardon, Mr. Mill, I do not think that follows. The liquor traffic does interfere with the rights of others in many ways, and to a greater extent than any other evil. If the persons who wish to drink can devise some way to obtain what they desire that is not inconsistent with the general good, we cannot object. The liquor traffic is a great public nuisance, a greater nuisance than any other; it inflicts a thousand mischiefs upon the community; and our contention is, that those who drink have no just claim to the toleration of places for their benefit, which, in fact, are a greater mischief to the community and a greater danger to the state than all other evils combined."

"But I do not see that the state has a right to interfere with the personal habits of the people so far as to prescribe what they may or may not eat or drink. Personal liberty should

not be trenched upon under pretense of providing for the general good."

"Prohibition does not prescribe what persons may or may not eat or drink, though indirectly it seeks to put out of the way what persons may desire to drink. Prohibition deals with trade like a hundred other laws which prescribe what may or may not be sold and the way in which things may or may not be kept for sale. The sale but not the use of unwholesome food is forbidden, and the keeping for sale of such food is prohibited under severe penalties. In 1832, when the cholera was in my country, all our city governments forbade the sale of certain articles of food which were always found in our markets in ordinary conditions of public health. These municipal regulations said not a word about the personal habits of the people as to food, but they forbade the sale of such articles as were deemed inconsistent with public health. In connection with this question of prohibiting the liquor traffic, a great deal is said in this country about personal liberty, and it is urged by able men, and even by lawyers, that the suppression of the traffic would be an arbitrary exercise of despotic power; and it is insisted that it would be a violent interference with a great trade, involving a vast capital and employing a great many men, and affording means of subsistence to a great many people. The prohibition of the liquor traffic involves no principle of law and no exercise of power that are not found in many, if not in all, our statutes. It is the duty, as it is the undoubted right, of government to require to be done whatever is necessary to the common good, and to forbid whatever is believed to be inconsistent with it. This objection to prohibition on the ground that it is inconsistent with personal liberty is never heard in my country among intelligent men. While we value personal, civil, and religious liberty as highly as any other people, we understand that there is really no such thing as a personal liberty that is inconsistent with the general good. 'The welfare, the safety of the people, is the supreme law.' That is a principle of law as thoroughly established in this country as it is in mine, and no person can claim any liberty whatever that is inconsistent with it. No one can do anything, or have anything, or be anything that is inconsistent with the general good. That is the 'supreme law.' There is no principle of law more firmly established than that. In every-day life, there are many illus-

trations of that principle carried out to the extremest limit. Taxes are inexorably required of us; our property is confiscated in that way to any extent that the authorities may choose to require. A man is brought up before the court, the case is heard, the verdict rendered; a forced contribution (fine) is levied upon him, which he must pay. Another is before the court, and after the hearing he is sent to jail for months, or for years, or for life, as the case may be. There is no plea put in for him that his personal rights are trenched upon. He is sent to jail because his personal liberty is inconsistent with the general good, and only for that reason. Another is before the court; the verdict is rendered; the judge says to the sheriff, hang this man, his life is inconsistent with the general good. *Salus populi suprema lex.*"

Prohibition of any trade is an extreme measure, and cannot be justly resorted to except the public good requires it. Some trades are useful, but dangerous; others are useful, but liable to abuse. These are regulated and restrained by license, by which it is sharply prescribed how they shall be conducted. The manufacture and sale and keeping for sale of gunpowder is one of the former; the keeping and driving carriages and carts for hire is one of the latter, and slaughter-houses are another. The manufacture and sale of obscene books and prints is inconsistent with the general good; it is not regulated and restrained by license, it is forbidden. Lotteries are forbidden. Gambling houses and houses of ill fame are forbidden. Many other things, not harmful in themselves, are forbidden under certain circumstances. A man may not drive his strong, fast horse rapidly through the streets of a city. Nor may any one set fire to his chimney and burn it out in any city; in the country he may do it. In order to determine, then, whether prohibition of the liquor traffic may be resorted to justly, it is only necessary to ascertain whether it is or is not consistent with the general good.

John Wesley said: "Liquor-sellers are poisoners general; they drive the people to hell like sheep; their gain is the blood of the people." Earl Chesterfield, in 1727, said, in the House of Lords, in a speech on the gin bill: "Vice, my lords, is not to be licensed, but forbidden. Instead of encouraging the sale of these liquors, which degrade and brutify the people, we ought to burst the phials that contain them, and repress the dealers in them—those artists in human slaughter." Mr. Senator Lot M.

Morrill said, on the floor of the United States Senate: "The liquor traffic is the gigantic crime of crimes." It inflicts upon society more evils than come from any other crime; more evils than come from all other crimes. No one, so far as I know, has ever denied that all this is true. Is there any compensating good coming from it to the state or the people that should restrain us from resorting to prohibition?

A leading New York journal stated the case very sharply and tersely when it said:

"Directly and indirectly this country spends in the liquor traffic, every year, a sum exceeding half the national debt. The cost of that traffic to the country, direct and indirect, is greater than the profits of all its capital not invested in real estate. It costs every year more than our whole civil service, our army, our navy, our Congress, including the River and Harbor and Pension bills, our wasteful local governments, and all national, state, county, and local debts, beside all the schools in the country. In fact, this nation pays more for liquor than for every function of every kind of government."

How is a question of that magnitude to be lightly put aside? There is certainly spent for drink annually more than eight hundred millions of dollars, and the entire sum raised by taxes of all kinds — national, state, county, town, and school district — is stated, on authority of the Census Bureau to be not more than about seven hundred millions of dollars.

The journal continues:

"But the cost of the liquor drunk is not by any means the whole cost of the liquor traffic. An official report, prepared with much labor by the Bureau of Statistics of Massachusetts, under authority from the Legislature, states that eighty-four per cent. of all the crime and criminal expenses in that State comes directly from the abuse of liquor. There are at least one in twenty of the able-bodied men in this country who are rendered idle by their habits or incapacitated for work; and these persons, at the ordinary wages of workingmen, would earn, if industrious and fairly employed, over two hundred millions of dollars yearly. The proportion of persons in hospitals, who reach them because of excessive drink, is very large, but cannot be definitely ascertained. A traffic that costs in actual payment and in loss of productive labor more than half the national debt every year is not to be ignored by the economist. It may be assumed that the entire wealth of the country has risen from $30,000,000,000 in 1870 to $50,000,000,000 in 1880, about one-half being in real estate. Probably it does not average profits exceeding four per cent. yearly, taking bad investments with good; but, at that rate, the yearly interest on all personal property of all kinds is only $1,000,000,000, and the direct and indirect cost of the liquor traffic must be greater. . . . The time has gone by in this country when a serious discussion of a question that involves such a vast expense to the nation can be

prevented by bullying, intolerance, insolence, or ridicule. . . . It is certain that the entire savings of the people and all additions to their wealth are not twice as much as the sum expended for liquor and because of the abuse of liquor."

The liquor traffic earns nothing; it creates no value; it adds not a dollar to the national wealth, nor in any way to the welfare and prosperity of the country. The money obtained by the trade is not earned as honest industries earn money — by giving a valuable return for it. It obtains money from those who earn it by their labor, giving in return for it what is not only of no value, but far worse than that — something which leads to poverty, pauperism, wretchedness, and crime; which disinclines men to honest industry, and finally unfits them for it. This traffic, like war, wastes the products of industry and kills the worker, or so mutilates and maims him that he is unfitted for work; and then he and his family and dependents are pensioned upon the honest industries of the country. It is like conflagration; it destroys, leaving only the blackened ruins of all which it attacks. It is like pestilence; ravaging any community where it is tolerated, cutting down the brightest, bravest, and best, It destroys more than sixty thousand of our people every year, cutting short their lives upon an average more than ten years each. It makes wretched, beyond all power of expression, more than five hundred thousand homes, which, but for it, would be peaceful, prosperous, and happy. It threatens the existence of our institutions, which cannot live except among an educated and virtuous people, because, more than all other influences for evil, it reduces men to ignorance, brutality, and savagery.

Have I overstated or in any way misstated? Is such a trade to be established and protected by law, or shall it be forbidden, and by sufficient pains and penalties suppressed as being inconsistent with the general good?

NEAL DOW.

ANGLO-SAXON civilization staggers under strong drink. If we could rid our country of it by the annihilation of all who are engaged in the bad traffic it would be the best of Yankee bargains.

More than a dozen of our States have tried prohibition. Most of them have abandoned it. Under exceptionally favor-

able conditions Massachusetts tried prohibition for twenty years, and finally gave it up, but not for lack of interest in the temperance cause. That interest had grown deeper and wiser.

About the success of prohibition in Maine, we have various statements. From the friends of prohibition we learn that the law has proved triumphant. From various other sources we hear that it has proved a failure. From the "Portland Daily Press," in a Monday morning issue, I have just read that on the previous day Rev. Dr. Mc Keown spoke on "The Church, and what it should do to Arrest Social Evils." The "Press" says:

"In the course of his remarks, in touching upon the subject of intemperance, the Doctor said that he thought the city was in a bad way; that it was under the rule of rum, and that the marshal's order to the effect that the law against liquor selling should be executed on Sundays and after ten o'clock at night on other days, was virtually saying that the law might be violated with impunity at other times. It seemed to him that arrests for violation of the law had well-nigh ceased to be made by the police, and that the men whose business it was to make drunkards, heart-broken women, and orphan children were to be allowed to ply their work of death without anything to make them afraid. He asked, when drunkards were reeling through our streets, and intemperance swept the city, if the church should be silent? Shall we look on and see venders of alcohol and those who abet the perpetrators of this infamy continue in their course without rebuke? What is the good of a church if it can do nothing to arrest such a terrible evil to society as drunkenness. If we do not try, let us cease mocking God by our religious professions, and calling upon Him for a reviving spirit. The remarks of Dr. McKeown have caused a profound sensation."

I have just been shown the "New York Tribune" of March 24th. In it John T. Vine, of Sanford, Me., says:

"The Hon. Thomas W. Pitman, of New York, has created a sensation in this section of Maine by his series of lectures on intemperance and crime, and has given some startling statistics. In Portland, last year, there were 2250 arrests, 1424 being for drunkenness and drunken brawls. Mr. Pitman exposed the private-club system of Portland, Bangor, and other large towns in the State, and showed how easily liquor can be procured, both privately and publicly, in all large towns, and demonstrated that prohibition does not prohibit unless sustained by an emphatic public sentiment. His statements relative to the violation of the Maine law and the increase of drunkenness in the State, have created profound uneasiness among prohibitionists."

I have seen scores of such statements from Maine. It has been repeatedly claimed that the rum traffic was practically dead in that State. I went to examine; I could find no open

grog-shops, but found many proofs that the drink curse in that State was enormous. I became satisfied that as temptations, the private drinking-clubs and other means of obtaining liquor in Maine are more fascinating and mischievous than open saloons.

The struggle over the drink curse goes forward with our civilization. To-day soldiers in the temperance army hurl billingsgate at each other. While refusing to join in this fratricidal bitterness, I venture the opinion, after forty years' service, that our enemy can be conquered only by social and moral weapons; that to call attention away from these agencies and fix it upon the constable is a fatal blunder.

In the struggle with intemperance, we find on one side intelligence, virtue, and hope; on the other, cunning, vice, and despair. Good men cannot hesitate. The only doubt lies in a choice of weapons. Washingtonianism, the Woman's Crusade, and other social, moral, and religious movements command our united approval; but some of us hesitate to summon physical force. Some of us believe that its employment is suicidal. It is the aim of civilization, through moral agencies, to eliminate vices, as it is its duty, with physical force, to punish crimes. With schools, social attractions, and religious appeals we win the votaries of vice; with prisons and chains we punish the perpetrators of crime.

In the discussion of prohibition, the distinction between vice and crime is pivotal. A vice is a harm I do myself in the pursuit of pleasure. Gluttony and drunkenness are vices. A crime is a harm I do to another with malice prepense. Forgery and murder are crimes.

Although vices do more harm in a day than crimes in a year, although vices are the parents of crimes, man cannot punish until the vices take form in actions inspired by malice prepense. A man may be filled with hypocrisy, envy, hatred, avarice, gluttony, drunkenness, indolence, and a score of other vices, but his fellow-man cannot punish him until he is guilty of a crime. No act, however harmful, can be a crime unless inspired by a criminal purpose. The intent is the very essence of a crime. When hate shows itself in a personal assault, man steps in to punish. But the hate, which is the tap-root of the crime, man cannot punish. As malice prepense can never exist in a vice, so a vice can never be a crime. Through

gluttony and other vices thousands contract disease, and impose the care of themselves and their families upon their neighbors. The children of these vicious persons might have become intelligent and useful; in the poor-house they are trained to pauperism. The wrong is grave; its influence may continue for generations; but there is nothing of crime in it. When I strike a person, though the blow be so slight as not to shake the dust from his coat, I am guilty of crime, and may be justly punished. I have done little harm, but I have perpetrated a crime for which I may be imprisoned. One may mention a score of vices which seriously cripple the race; not one of them can be justly punished by force. Crimes play but a small part in demoralizing the race. Gluttony injures the race more in a day than forgery in a century; yet gluttony cannot be punished by law, while forgery, even though no harm results, may be punished. Legislation that ignores this distinction between vice and crime must prove a muddle and a failure. We have made many laws against vices, prescribing severe penalties. We have repealed all of these laws or allowed them to die and be forgotten, but no legislature has ever repealed a law against crime.

We are all the victims of vices. The average man is older at fifty than he should be at seventy. This crippled condition comes of vices. The margin left for high purpose and achievement is pitifully small. This wretched slavery consumes nearly all the fine forces of our being, and is the one great waste of human life. If there were no other reason why we cannot punish vices by law, it is sufficient that we are all the victims of vice.

Law is a science, and its expounders have been the greatest men of our race. As in other forms of science, outlying regions may be in doubt, but the central principles are as clear and fixed as gravitation. The distinction between vice and crime is fundamental; it is the distinction of the dictionaries, the courts of law, and common sense.

Every man knows that he has a right to eat and drink, dress and exercise as he pleases. I do not mean moral right, but legal right. This distinction between moral and legal right, which is the counterpart of the other between vice and crime, has been ridiculed by prohibitionists. I would repeat that a man has a legal right to do a thousand things that are morally wrong. He has a legal right to doubt the existence of God, or the binding

force of the decalogue; to believe in free-love and piracy; to hate his mother; or to be or do numberless things that are morally wrong. It is only when his belief in piracy or his hatred of his mother is embodied in criminal action, that he may be punished by law. The Puritan forefathers denied this distinction between vice and crime, between moral and legal rights; but the civilization of to-day finds its highest distinction in the liberty to be and do whatever we please, until we assault with criminal purpose, or through criminal carelessness, the right of other people to be and do what they please.

It will be said that the drunkard's vice outrages the rights of others. When it can be shown that he is inspired by a criminal purpose, his action is criminal. As long as his indulgence is in the pursuit of pleasure, and not instigated by malice prepense, he is the victim of a vice, and not amenable to civil law.

During a somewhat famous discussion, in which I bore an humble part, I asked my antagonist to give his conception of the function of civil law. He replied: "The duty of the Legislature is to watch the commonwealth, and when danger from any source is apprehended, to provide against it by law." "Do you mean," I asked, "from *any* source?" He replied: "It is the duty of the Legislature to provide against harm to the people from any and all sources." "Suppose," I said, "that the Legislature should believe that the present methods of cookery are too appetizing, and lead to excessive indulgence? Suppose the Legislature believes that this vice of cookery results in enormous harm, as it surely does, what would be its duty?" "Without doubt," he replied, "to pass stringent laws against such mischievous cookery." "And send an officer to every suspected house?" I suggested. He replied: "A law without an officer to enforce it is useless. An officer should visit every suspected house, and see that the cookery is as the law directs." "Suppose that the Legislature believes that the corset vice is a vast evil, as no doubt it is, what is its duty?" "Clearly," he answered, "to pass a severe law against making or wearing corsets." "And," I again suggested, "send an officer to every suspected house?" There was a shout of laughter; but my antagonist, with true courage, replied, "Yes; an officer should visit every suspected house, and see that the law is not violated." "Your conception of the function of civil law is that the Legislature should watch for harm coming from any source, and

provide against it by law. When Universalism first made its appearance in Massachusetts, the Legislature believed that the greatest harm that could befall the people was imminent; that to take hell out of religion was to open the flood-gates of every conceivable vice and crime. What was its duty?" He replied, "If the Legislature sees being preached in the community any religion which, in its judgment, is calculated to do harm, like the rum traffic, it would be its bounden duty to punish severely the preaching of such religion." "The dry-goods windows in this city tempt thousands of women to extravagance. Thus, many family treasuries are bankrupted. If the Legislature believed this, would you have them pass a law against such attractive windows?" He replied, with characteristic courage, "If I were a legislator, and believed that these shop-windows tempted to mischievous extravagance, I would close them."

It became clear, even to the most ardent advocates of prohibition, that my antagonist's statement that "the function of the Legislature is to watch the commonwealth, and when danger from any source is apprehended, to provide against it by law," was an error. It was clear to my own mind before we began, that the real sources of nine-tenths of our ignorance, bad health, bad morals, and crimes are as far beyond the reach of the constable as are our thoughts or our dreams.

A prohibitionist with whom I had a discussion some years ago rested the case upon the statement that "the public good is the only object and limit of the law-making power." In this matter of human rights, there is, strictly speaking, no such creature as the public. Those who talk so flippantly of the "rights of society" may be asked to find society. Let them go down street, turn to the right, to the left, everywhere; they will find a man, a woman, a child; another man, another woman, another child. Each of these men, each of these women, each of these children, has rights. This talk of the "rights of society" reminds one of much that is said of corporations. A corporation has no soul. It practices injustice, but no one is to blame; it is the corporation. The corporation is composed of persons whose meanness and cowardice in shifting the responsibility to the creature they call the corporation are not unlike the attitude of what is called society as against the individual. The phrase "the rights of society" is a trick of words, which, like "the rights of a corporation," is often used to cover injustice.

Another prohibitionist announces as an old maxim that "the public good is the supreme law." I have never heard of such a maxim, but I have heard that "the public safety is the supreme law." The whole difference between the views I am advocating and the views of the extreme prohibitionist is found in the difference between "good" and "safety." "The public safety" is endangered by an armed invasion, by a conflagration or contagion, and in their presence the rights of individuals must give way. "The public good" is endangered by false religious and political theories, by errors in dress, sleep, food, drink, etc. To these nothing but reason and persuasion can be addressed. If the Central Park reservoir should give way, the man who saw it might seize his neighbor's horse, and rush down town, shouting, "The waters are coming; run for your lives!" But if a zealous temperance man were to seize a horse and tear down Broadway, shouting, "Turn out, turn out, for God's sake turn out; Jim Biles is selling Pete Smith a glass of whisky!" the chances are that instead of the court holding that the public safety justified the seizure, the temperance man would have to ask some friend to bail him out.

Instead of its being a maxim that "the public good is the supreme law," it is one of the wisest sayings, that a wrong done by the government to the humblest individual — that is, a violation of any one's rights of person or property — is a wrong done to the whole people. This is not only true, but vital; because if one man's personal rights may be violated with impunity, the rights of all the people may be violated with impunity. The greatest "public good" of which a government is capable, is to secure to each and every individual the full and free enjoyment of his natural rights of person and property.

All progress and happiness begin and end in personal liberty. Prohibitionists say, "We rejoice in the utmost personal liberty if people will only do right." Our Puritan fathers were stout advocates of personal liberty. They left their homes, crossed a stormy ocean, and braved a thousand dangers, that they might be free to say what they pleased; and they were willing that all who came after them should be free to speak, unless the new men said things conflicting with what the fathers said. Sometimes they came across a Quaker, with wrong views, and hung him.

All men are believers in personal liberty for themselves; few men are willing to grant liberty to others. Perhaps no other man believes in personal liberty as intensely as the Czar of Russia, but it is liberty for himself. Kings and princes cherish the doctrine of personal liberty — for themselves. The aristocracies in all lands believe in personal liberty — for themselves. The slaveholders believed in personal liberty more strongly than any other men on this continent. The whites of California believe in liberty — for themselves. Personal liberty includes as its subjects all adult, sane, non-criminal persons. A government which protects only the liberty of the czar, the king, the aristocrat, the white man, the intelligent man, or the good man, is not a true government. Rich, strong men can take care of themselves. The worse the government, the better the chance for them. It is the glory of a true government that it jealously guards the rights of the ignorant, the weak, and the vicious, while it vigorously punishes criminals of all classes. Personal liberty is the source of all progress, the lever of all conquests, the inspiration of all achievements, the precious jewel of the ages. I would rather conduct a temperance movement with ten reformed drunkards, free to drink at pleasure, than with a hundred teetotalers, kept sober by the constable. That kind of temperance is strong; this kind weak; that kind a living principle; this a lifeless submission. Whenever, in our country, personal liberty is violated, except in the presence of a great and immediate danger, the intruder, if a person, is sure to meet rough treatment; if a law, it is dodged or defied. Some of us think we were born to control other men. We ask what ought our neighbors to do; and if they will not do it, how can we compel them? Resolved: That the Almighty has given the government of the world into the hands of His saints. Resolved: That we are His saints.

But is not the law against the sale of certain poisonous drugs just? Is not the law against the sale of gunpowder just? Is not the law against obscene literature just? If these laws are just, why is not the law against the sale of drink? It does vastly more harm. What is the basis of the law against the sale of the dangerous drugs? It is the danger of a fatal accident. The people do not know, and if they were allowed unchecked handling a fatal accident might happen. The legislature forbids their sale except under the guidance of an expert.

This is wise and just. It is the railing and warning light about an open sewer; while the prohibitory law is a fence across a street, which street runs down to the sea, where, by wading far out, many persons have been drowned. Such a fence would be an insult. If there were danger that lager beer might suddenly kill, then it would be right for the legislature to forbid the sale of lager beer except under the guidance of an expert.

Patent medicines do more harm in a year than the unrestrained sale of the proscribed drugs would do in a century. But no sane man would suggest that the sale of patent medicines be forbidden. Why not? Simply because there is no danger of a fatal accident. The people have time to learn and protect themselves. For a man's neighbors, even if called a legislature, to say to him, you shall not purchase patent medicine, would be an impertinence and an insult.

Prohibitionists are fond of the gunpowder illustration. The justification, they say, of the gunpowder law is found in the danger. If the danger justifies the law against gunpowder, there is infinitely more danger in strong drink. This looks plausible, but is shallow sophistry. It would be difficult to imagine any two laws more widely divergent in principle. We enter a store where the merchant keeps a barrel of gunpowder. We do not know it, and cannot protect ourselves. By his carelessness we may be blown into eternity. It is right that the legislature should protect us against such a catastrophe. We enter another store, where the merchant keeps a barrel of whisky. It is the very thing we want. Our legal right to drink it is absolute. We are legally sane, and choose to drink whisky. We take the responsibility. We ask for it, drink, pay, and depart. No man capable of logical thought will find the two parallel.

The case of obscene literature seems, at first sight, to be pertinent. Whoever read the speeches made on the occasion of the passage by Congress of the law against the circulation of obscene literature, will recall that it was put on one distinct ground, the only ground on which it can rest; namely, that forty-nine-fiftieths of obscene literature is circulated among children. This is a grave crime, as it is to sell them strong drink. Some time since, I had occasion, in preparing a volume, to pick up books on this class of subjects. No man committed a crime by selling them to me. If this class of literature, like

strong drink, were in great part sold to adults, the only just law would be one which forbade its sale to children. There are several laws against the sale of certain things, or classes of things, which have been brought forward to illustrate prohibition. No one of them is parallel to the prohibitory liquor law.

But may we not suppress a nuisance? Our right to suppress a nuisance is as clear as our right to defend ourselves against any other personal assault. A legal nuisance is any offensive smell, noise, or sight, or anything which injures health. A loud noise in a grog-shop, nudity at its windows, or, as the dictionary phrases it, "any annoyance to the community in general," is a nuisance, and may be suppressed. But if sane adults compromise their health, usefulness, and character in a grog-shop, it does not make the place a legal nuisance any more than would the fact that its visitors ate too much or improper food, or indulged in indolence or bad ventilation, or in any other way voluntarily injured themselves. A moral nuisance is not necessarily a legal nuisance. Colonel Ingersoll may preach infidelity, and lead a million young men away from the churches into loose and infidel ways. This is not a legal nuisance. If you were to bring an action against him under the nuisance act, you would be laughed out of court. But if Colonel Ingersoll were to be converted to Christianity, and gather a crowd in the public streets to hear him plead the claims of Christ, such a crowd, if it interfered with public traffic, would be a nuisance, and could be suppressed. If my own beloved clergyman preached so loudly as to disturb the neighborhood, it is a legal nuisance, and may be abated. But if the large grog-shop round the corner sells ten thousand drinks a day, in a "quiet and unobtrusive" manner, to adult persons, legally sane, it is not a nuisance. The fact that my minister preaches the most precious truth, while the grog-shop does infinite harm, is not pertinent.

Good people seem to think that bad people have not the same rights as themselves, and, except as subjects for missionary work, they are impatient of their presence. A bad man, full of avarice, bitterness, gluttony, and drink, has the same legal rights as the best man in the world. When, in the field of human conduct the law has punished crime, it is done. Public sentiment, infinitely more potent than civil law, must control in all other departments of human life. It is maddening to see people trying to drag into the arena of social, moral, and re-

ligious struggles, civil law, with its "all thumbs," and neglect agencies a thousand times stronger. How temperance men, with their vivid recollections of the all-conquering triumphs of Washingtonianism and the Woman's Crusade, can turn aside from the divine agencies which accomplish so much, and call in the constable, amazes me.

"But," we are asked, "can nothing be done to protect women and children from a drunkard's brutalities?" If a man be the victim of a vice which wrongs his family, the vice should, and may be removed, but not by law or force. All our mistakes — all our sins, both of omission and commission — harm our families and neighbors. They have a moral right to our best, while the average man does but a small part of his best. It will be said that the drunkard's vice is worse than any other. Does a man arrested for larceny plead that "other men's crimes are worse than mine; they should be punished, not I?"

During a public discussion of prohibition, my antagonist said: "We can close our argument at once if my friend will answer a simple question. The other night, down in a low street, a den of thieves was unearthed. They had stolen some carpets. The next door to this den of thieves is a large grog-shop, where many men have been ruined, causing an army of women to turn their wan faces up to heaven in a hopeless appeal for help, and numberless children to hold up their rags in mute prayer for protection. If our friend will tell us which of the two he thinks deserves the severer punishment, we can close our argument and go home. In the one case, thieves had stolen some property from a rich man, who had not even discovered his loss; in the other, poverty and despair have been made to fill many homes." I said: "My friend could hardly have given us a better illustration of the views I am advocating. Let us suppose that the thieves had been told by the owner of the carpets that they might come and get the property on a certain night, that he would leave the back door unlocked. What crime would the men have committed? If the rumseller should slily approach his victims in the street, seize them and force them into his den, and compel them to swallow his poison, it would be a very grave crime. But he does none of these things. He lights and warms his saloon, furnishes music and a hearty welcome. The people who go in to drink are legally sane

and go in voluntarily. If you doubt their sanity, and should challenge it before a court, and it were asked: 'Is this man competent to vote? Is he capable of making a contract, or a will?' and experts should answer yes, your charge of insanity would be dismissed with a reprimand. The men who go into this saloon are legally sane until they are shown to be *non compos mentis;* they have a right to enter that street, a legal right to enter the saloon, and as perfect a legal right to drink whisky as you and I have to drink coffee. If we propose to use the word 'crime' in the dictionary-authorized sense, we must say that the rumseller has committed no crime. He is accessory to a wretched vice, which does more harm in the world than all crimes together, but which, like other vices or sins, must be treated by social, moral, and religious agencies. We rejoice over this because we know that these forces are infinitely stronger than the constable."

Prohibitory liquor laws are indispensable to the temperance cause. But they must attack the crimes of the liquor traffic, not its vices. The failure to make this distinction threatens the ruin of the grandest revolution in human history. Prohibitionists rarely mention the crimes of the hell-born traffic, but grapple with its vices. In this conflict they will fail. By a simple change of tactics, civil law would do more in removing intemperance in twelve months than it has done in a quarter of a century.

Sale to a child, to a man who is drunk, to a sot, or to a person known to be dangerous when under the influence of drink, is a crime. But prohibitionists miss their great opportunity in not prosecuting adulterations. An adulteration is a fraud, and a fraud is always a crime. Officers can go anywhere in search of a fraud, and all drinkers would cheer on the attack. A vigorous prosecution of adulterations would paralyze the whole trade.

Prohibitionists say that we miss the point; that they have never proposed to treat drinking as a crime; that the sale is the crime. The cook who contributes to gluttony by his appetizing compounds is accessory to a vice, but is not guilty of a crime. The grog-seller is accessory to another vice. To say that he is guilty of a crime because he is accessory to a vice, is to ignore the dictionary and talk nonsense. To admit that a man has a legal right to drink, and then stand between him and

the opportunity, is an insult. To say that you have a legal right to use patent medicines, and then send an officer to stand between you and the drug store, is a like absurdity. A prohibitionist would say to a man who wishes to drink, "My dear fellow, you have a perfect legal right to drink, but I should smile to see you buy any liquor." The right to drink includes the right to buy; not the right to buy through the lying prescription of a tricky doctor, but the right to buy of any one who conducts the sale without crime, and without making his business a nuisance.

We are the first people with liberty to make laws at pleasure, and we are nearly crazy over it. While the legislature should meet but once in three or five years, and then for a short session, they congregate every year, stay many months, and, when finally they adjourn, the newspapers of both parties rejoice that at length they have stopped their mischievous intermeddling and gone home. Our thoughtful editors often express fears lest Congress should disturb the business of the country. "If they would only quit, and let us go on in peace."

Extravagant notions obtain of the importance of our lawmakers. People think that the Governor is the Commander-in-chief of the State, while he is only the Chief of Police. To criminals he is a great man, but to respectable citizens he is a policeman without bright buttons, whose principal duty it is to watch the streets while people sleep. The citizen of the highest class steps a long way down when he enters the police force. Generally governors and legislators are men of the rougher sort. As their only real duty is to punish criminals and maintain a few general laws for the control of corporations, the selection is perhaps not unwise. Men of the highest class can serve better by wielding those social and moral forces which mold society and govern the world. One periodical, edited with brain and conscience, may contribute more to the welfare of the State than the entire legislature. Generally, when we read the two or three columns of newspaper report of the doings at the State House, we are ashamed. Their blundering comes in great part of their attempting tasks which lie beyond their reach.

"Then," exclaims the prohibitionist, "you would have us lie helpless on our backs while millions of our fellow-men go down to perdition." A man who can indulge this thought in full view

of that magnificent revolution known as Washingtonianism, and that amazing outburst, the Woman's Crusade—a man who, in full view of these proofs of the overwhelming power of moral forces, will say that if he cannot have the constable to help him cure his neighbor's vices, he must lie helpless on his back, is a queer creature.

I am an old man, but I expect to live long enough to see the friends of temperance turn their backs upon the constable, join hands and hearts in a grand movement combining the tactics of Washingtonianism and the Woman's Crusade, and within twelve months fill the most wonderful page in the history of Christian civilization.

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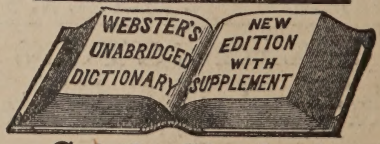

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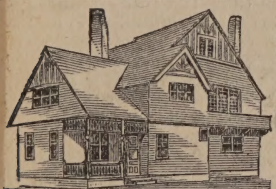

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THE

NORTH AMERICAN REVIEW.

SEPTEMBER, 1884.

No. 334.

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NEW YORK:
No. 30 LAFAYETTE PLACE.

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1884.

NORTH AMERICAN REVIEW.

SEPTEMBER 1884.

ART.		PAGE
I.	THE BASIS OF POPULAR GOVERNMENT. By the Right Rev. J. L. SPALDING, D. D., Bishop of Peoria.	199
II.	THE DEMAND OF THE INDUSTRIAL SPIRIT. By CHARLES DUDLEY WARNER.	209
III.	INSPIRATION AND INFALLIBILITY. By the Rev. J. H. RYLANCE, D. D.	224
IV.	THE NEED OF LIBERAL DIVORCE LAWS. By ELIZABETH CADY STANTON.	234
V.	OUR REMOTE ANCESTRY. By Prof. ALEXANDER WINCHELL.	246
VI.	THE EXCLUSION OF THE CHINESE. By JOHN H. DURST.	256
VII.	EVILS OF THE TARIFF SYSTEM. By DAVID A. WELLS; THOMAS G. SHEARMAN; J. B. SARGENT; Prof. W. G. SUMNER.	274

NORTH AMERICAN REVIEW.

No. CCCXXXIV.

SEPTEMBER, 1884.

THE BASIS OF POPULAR GOVERNMENT.

FENELON spoke from his generous heart when he said, "I love my family more than myself, my country more than my family, and the whole world more than my country." Unfortunately, the converse of this is true of men in general, who love themselves first, their families next, then their country, and the whole world hardly at all. Hence the inefficacy of arguments intended to show that abuses in which an age takes delight will bring harm to posterity. Those who prefer the lower to the higher self will make no sacrifices for the good of their descendants, as one who is indifferent to the living will surely be unmindful of the dead and the unborn. We care nothing for ancestors who are a few degrees removed from us, unless their lives furnish food to our vanity, and it is not probable that any man is made unhappy by pondering on the destiny that may await his great grandchildren. Declaimers against the evils of the age, who predict the not distant downfall of the state or of civilization, alarm no one, because few have faith in such forebodings, and fewer still care to trouble themselves about the condition of mankind a hundred years hence. The masses of Europeans and Americans are not at all concerned for the wel-

fare of the populations of Africa and eastern Asia; they are too far away. And time separates even more than space.

Here in America, to within a quite recent date, we have been so wholly under the influence of unreasoning optimism and youthful self-complacency, that prophets of evil have appeared to us to be simply men of unsound mind. As a people we have been, and probably still are, believers in the fundamental error that denies the original taint in man's nature; and hence we are persuaded that, in a society like ours, where the restraints, oppressions, and injustices of past ages have ceased to exist, the tendency to higher modes of thought and conduct, to purer and worthier life, is as irresistible as the laws of nature. The enthusiasm with which men hailed the advent of democratic rule, and the promise of boundless good to the race with which the new order of things was ushered in, together with a knowledge of the terrible and indescribable evils that unjust laws and tyrannical governments have brought upon mankind, were sufficient to blind them to the common facts of personal experience, and to hide from philosophers a truth known to every mother and every nurse, that man is born not only weak and ignorant, but with such a tendency to what is vicious that each generation of children, if left to the impulse of their will, would inevitably relapse into barbarism. The bent of human nature is toward what is beneath, and the natural course of society is downward. If we consider the history of our race, we find emergence from barbarism to be the fortunate lot of exceptional people, who by some divine impulse are borne upward, and, having reached a certain height of civilization, hasten to descend, not, indeed, along the rugged paths of heroic daring and self-denial by which they mounted the summit, but in the open and easy way of sensual delights. Among the most privileged nations, only the smallest number attain to excellence, and their high endowments, whether moral or intellectual, depend upon unceasing effort. The great body of their fellow-countrymen are held to be civilized on account of their association with these better specimens of the race, just as a vulgar man is called noble because he descends from ancestors who are believed to have been really so. Few men love the best, or seek the highest, or strive to shape their lives upon the model of exalted ideals; and the truly excellent, whether in conduct, literature, or art, is never popular. The crowd neither follow

in the footsteps of the noblest characters, nor read the best books, nor love the master-works of genius. It may, indeed, be said to be a law of human nature that attraction from below is stronger than attraction from above. The multitude live in the senses, not in the soul; and the life of the senses is contact with material objects. Hence the fatal tendency to superficial views of life and to low notions of conduct. How long and patiently must not a man labor to bring his natural endowments to some kind of perfection? And the moment he ceases to toil marks the beginning of degeneracy. But this tireless struggle is hard to weak nature, and the multitudes yield to the current, and are carried farther and farther away from the heights their young eyes looked up to with hope, all aglow with the light of ideal worlds. The same law prevails in families. But very few rise to eminence, and they, having produced two or three men of mark, break up and are lost in obscurity.

It is difficult to understand why we should imagine that there is in human nature a principle of indefinite progress. There is, indeed, in the world to-day more knowledge than there has ever been, more wealth, more comfort, more liberty; but, apart from the fact that all this is in great measure attributable to the influence of Christianity, which was accepted as a supernatural faith, supplying supernatural motives and helps, the essential quality of human life lies elsewhere than in knowledge, wealth, comfort, and liberty. Men and nations fail, not for lack of these, but for lack of moral strength. Conduct, to use a current phrase, is three-fourths or four-fifths of human life; and man is to such an extent a moral being that failure in conduct is essential, hopeless failure. The sense of life, of its goodness, its joyousness, its inestimable worth, springs from right-doing, not from fine thinking, or the enjoyment of political freedom, or the possession of wealth. Pure hearts are glad, and they who tread the paths of duty find God's world sweet. This is not a theory, but a truth that all men may verify by actual experiment, and to it the unvarying testimony of the past bears witness. That moral life is joy, peace, gladness, contentment, fullness of life, is the teaching of all the greatest thinkers of the world; and it is also the actual experience of every human being who walks obedient to the voice of God's stern daughter, Duty. This is not to say that right-doing necessarily makes people happy, but that it gives them a deeper sense of the value of life

and of its sacredness, a better insight into the goodness of all things, a knowledge that evil is accidental, and in no way able to deprive man of the blessedness that comes of being in conscious harmony with the eternal laws of God's universe. To be morally right is to be absolutely right, because the infinite truth of what is, is more nearly revealed to the conscience than to the intellect; and the more closely we conform to the law within, the more God-like does the whole world external to ourselves grow to be. In this way moral excellence, awakening the deep and boundless harmonies that sleep within the soul, brings us near to the heart of love and creates faith in immortal life. When character is the result of conformity with eternal laws, we feel that this union is everlastingly true, good, and fair; and hence that our real self belongs to an order of things that is imperishable. Therefore, the good are strong, and so, happy, since weakness is misery.

Just as right-doing leads to completeness of life and to belief in life everlasting, so wrong-doing begets a disesteem of life and unbelief in man's God-like destiny. "Let us eat and drink, for to-morrow we die," are the words of those who fail in conduct. The more we live in the senses, the less becomes our faith in the value and duration of life. Hence the recklessness of those who have thrown aside moral restraint, and the fatal facility with which they take their own and others' lives. Thought, to be true and healthful, must complete itself in act. It is not, therefore, its own end, but aims at something beyond. In the same way faith, hope, and love tend to action, to morality, to righteousness; and thus from all sides the truth is borne in upon us that the test of human worth is to be found in character, and not in a cultivated mind, or a brilliant imagination, or in beauty of body, and much less, of course, in things that are purely material, as money and machinery. Progress, then, is not possible where there is moral decadence, since conduct is three-fourths of life, and character the real test of man's worth. The literary excellence and refined civilization of the age of Augustus and Louis XIV. were not only wholly powerless to arrest the decay of Roman and French society, but served rather to hasten its dissolution; and history testifies to the truth that the possession of wealth destroys the virtues by which it is created.

If we turn to our own country, and to what, unfortunately, we must still call an experiment, to determine whether the best

possible kind of government may become an enduring fact, we cannot fail to perceive that, to be able to form an enlightened opinion as to the success or failure of this noblest effort at self-government ever made by mankind, the truth that I have here sought to develop must be borne in mind. Human worth is moral worth; man's proper measure is character; conduct is three-fourths of life; right-doing brings the deepest and most lasting content and gladness to the heart of man, and thus creates a sense of completeness and harmony that nothing else can give. Righteousness is strength. As the physical forces of the boundless universe work together in every drop of water to give and maintain its form and nature, so the infinite power that makes goodness the best, coöperates with every man who obeys conscience, to uphold and confirm his heart. Goodness of life tends to length of days, to health, to success. Man lives by faith, hope, and love; and fidelity to conscience keeps him close to the clear-flowing fountain-head of faith, hope, and love. To think finely is well; to dream nobly is also good; and to look with a glad heart upon the beauties of the universe gives delight; but not in doing any of these things, but in doing right, lies the worth and goodness of life. And this great principle affects families and nations as it affects individuals. Conduct leads a whole people along the rugged and difficult ascent of progress; and, without it, neither knowledge, nor wealth, nor numbers, nor machinery, nor fertile soil, nor healthful climate, nor all these together, with whatever else there may be that is good and helpful, can save them from decadence and ruin. Whether alone or one of a multitude, man fails not for lack of anything else than virtue.

That a democratic form of government ought to be the best, the proverb, "If you wish a thing done, do it yourself," would seem sufficiently to prove. Again: Since the end of government is to promote the welfare of all the governed, and since each man is more than any one else interested in his own behalf, and since interest in a subject or a cause awakens attention and begets intelligence in matters therewith connected, it would seem to follow that to give to all men a due degree of influence in the government is the surest way to promote the welfare of all. And this conclusion gains weight when we reflect that whoever hopes more from his own industry and merit than from fortune and favor is a natural republican. On the other hand, there

seems to be no doubt but the government of the best men is really the best government; and, since this is so, that a democratic government, where the people are corrupt, is necessarily a bad government, because the vicious will not only not elect the best, who will not stoop to their level, but, by virtue of the law of affinity, will choose the baser sort of men. It was this kind of democracy that repelled Landor —"Because," said he, "I have always found it more jealous of merit, more suspicious of wisdom, more proud of riding on great minds, more pleased at raising up little ones above them, more fond of loud talking, more impatient of calm reasoning, more unsteady, more ungrateful, and more ferocious; above all, because it leads to despotism through fraudulence, intemperance, and corruption."

As the liberty of criminals means license, so the freedom of the immoral means corruption. Declaimers are fond of affirming that man naturally loves liberty, when the truth is, he only naturally hates restraint. Liberty is obedience to law; and is it not absurd to assert that men are naturally obedient to law, when religion, education, civil authority, criminal codes, and other means have to be continually employed to enforce respect for authority? Do savages, barbarians, and children love the moral restraint without which it is not possible even to think of liberty? Have not men in all ages called liberty the opportunity to seek their own interests and gratify their passions by inflicting wrongs upon their fellow-beings? All virtue is rare, but love of liberty is a rare virtue, the flower and fruit of a life-long devotion to rectitude, to unselfish purposes and aims as large as the love of Christ. Let us not imagine, then, that a free government such as ours rests upon the natural instincts of the human heart. We love the highest when we see it, but the low cannot see the highest, and only the best know the best.

Our great good fortune lies in our infinite wealth of opportunity. Whoever feels within himself force of mind or heart or body, finds work to do that brings reward; and as he moves forward, avenues open out at every step that lead or promise to lead to much that men most eagerly desire. Through these thousand channels the flood of energy finds outlets, and catastrophes are avoided. But opportunities diminish with the growth of population and the development of the country; and with the whole world rushing in upon us, we shall soon have to find a way to control destructive agencies that our physical resources and sparse population now render comparatively

harmless. We must now prepare to meet this emergency. By the end of the century we shall have nearly a hundred million people; our wealth will be greater than that of any other nation; our machines will be the most perfect; and the comforts of life will here be within the reach of larger multitudes of men than have ever enjoyed them. All this will come like the leaves in spring-time, and like the fruit in summer; but numbers do not constitute excellence, and machinery does not fashion souls, and comforts do not nourish heroes. If the outcome of our civilization is simply to be the greatest possible number of well-clad and well-fed human beings, there is little need of giving serious thought to such a lubberland of mediocrities, and we may as well agree with Renan, who thinks us farther removed from true social ideals than any other people, or with Carlyle, who maintains that the stupendous feat we have hitherto accomplished is to bring into existence in an incredibly short time more millions of bores than ever made earth dismal before.

To develop the highest man, and, if it may be, multitudes of the highest men, is in every way more desirable than to dig gold or build railways; and if we are to stand in the van of all the world, we must have other proofs to show than our money, our corn, our numbers, and our machines. "The end of all political struggle," says Emerson, "is to establish morality as the basis of all legislation." It is manifest that our politics have become essentially immoral. Neither party dares to touch any question that is higher or holier than that of tariff or no tariff, looking upon a wretched financial problem as the only vital interest for a people who lack not money, but virtue. The eternal principles of justice and morality are ignored, and our electoral contests have degenerated into mere struggles for office; and to suggest that conscience ought again to assert itself in American politics is to make one's self ridiculous. And all the while the evidences of moral decadence stare us in the face. There is the general decay of faith in God and in the worth of life that is the unfailing mark of weakening character and sinking morality. Nothing is longer certain for us but what we see or touch, so that the whole ideal world, which is our only true world, is become a dream; and the young start out in life with no higher aims than to get money or office. Nothing is left among us that is venerable, or great, or divine. We look upon God's universe with the spirit of irreverence in which the

author of "Innocents Abroad" beheld the shrines of religion and art in Europe and Asia. Our smartness renders us incapable of admiration, of awe, of reverence. We know what the stars are made of, and think them not more wonderful than an electric light.

The press of our great cities is the chronicle of our life. What does it record? Murders, suicides, robberies, thefts, adulteries, fornications, divorces, drunkenness, gambling, incendiarism, fraudulent bankruptcies, official peculations, with now and then a collision of trains and destruction of life and property by mobs. This fills the news columns. In the editorials we meet with reckless assertion, crude generalization, special pleading, ignorant or dishonest statement of half-truths, insincere praise and lying abuse of public men, frivolous treatment of the highest and holiest subjects — all thrown into that form of false reasoning and loose style which is natural to minds that have not time to learn anything thoroughly. And this half-mental and half-bestial brothel-and-grog mixture, brought from the great cities by special trains to every household, falls like a mildew upon the mind and conscience of the people, taking from them all relish for literature, all belief in virtue, all reverence for God and nature, until one may doubt whether we have not lost the power of intellectual and moral growth.

We have no one institution great enough to inspire the love and enthusiasm that are the soul of national unity. Our public life regards material interests alone; our theory of education is narrow and superficial, aiming chiefly to develop smartness, the least desirable quality of mind, and more sure than any other to foster vulgarity; and thus we have no ideal to elevate and guide us or fill us with faith in our destiny. In the meantime, the manners of Europe threaten us, and we are permitting the rapid growth of social customs that are helpful enough to tyrants, but pernicious in a democratic republic. Austere manners lead to political liberty and uphold free governments, and a people given over to sensual delights, to foolish frolicking and dissipation, love license more than freedom; and, if you but give them wine and a show, care not what master rules over them. The Puritans of New England had the truest instinct of political liberty, and that instinct made them serious, earnest, austere, averse alike to childish gayety and to loose conduct. It were better for us, if our liberty is dear to us, to have the Puritan Sabbath than the Pagan Sunday of parts of Europe.

"Let the passion for America," says Emerson, "cast out the passion for Europe." There must be brought into our public life something to appeal to minds and consciences as well as to interests; for it is the disgrace of a nation that its chief concern should be a question of money, and that the significance of political contests should lie in the emoluments of office; and while this state of things continues, the best men will remain aloof from the struggle, and leave the direction of public affairs in the hands of the baser sort. We need an ideal to which all noble minds and generous hearts may rally, and this ideal here in America at the present day can neither be intellectual nor religious; it must be moral. We are too essentially practical to be deeply interested in intellectual truth, and our religious divisions are so various and so far-reaching that a great national regeneration springing from a common faith is not now possible; but there is still left in the mass of the people a deep moral earnestness, which, if it can be called into action, may yet lift the whole nation to higher and purer life. Our two great parties are the principal obstacle in the way of such a movement. It is not possible to arouse the American people thoroughly, except through political agitation, and both these parties, which have become simply mills to grind the people's corn to make bread for office-holders, oppose the whole weight of their organized power to every honest effort to bring about a moral reformation; and so long as the multitude is led by them, our worship of majorities will throw an air of quixotism over every attempt to stem the torrent of corruption. The welfare of the nation demands that the one or the other cease to exist; that a new party, springing from the deep yearning of multitudes for purer and nobler national life, and upheld by the enthusiasm inspired by high moral aims and purposes, may take its place. But the Democratic party is neither open to ideas, nor subject to death; and our hope now seems to lie in the defeat of the Republican party in November. This party originated in a righteous indignation against slavery, which it abolished, and at the same time strengthened the bonds of national unity. It has done its work, and now bars the way to other conquests. Multitudes of its adherents perceive this, and they are waiting for its death-knell as the signal of hope.

The limits of this article do not permit me to discuss the problems that the new party will have to solve. They will relate to moral rather than to material interests. There is, first of all,

the question of education. The dread of religious teaching in the common schools has deprived them of moral influence, and they cultivate a faculty instead of forming men. Then there is the question of the liquor traffic. The most hideous phase of our political life is that which comes of its association with bar-rooms, and the remedy for American pauperism is not a wage or rent theory, but economy and sobriety. There is, also, the question of woman-suffrage. The experiment will be made, whatever our theories and prejudices may be. Women are the most religious, the most moral, and the most sober portion of the American people, and it is not easy to understand why their influence in public life is dreaded. They are the natural educators of the race, and they and their children are the chief victims of drunken men; and since men have been unable or unwilling to form a right system of education or to find a preventive of intemperance, there can be no great harm in giving in these matters at least an experimental vote to women. Then there is the question of the licentious and obscene press, as unlike a free press as a sot is unlike a true man, which is a more deadly and insidious poison than the adulterated liquor that a deluded people pay for the privilege of drinking.

With us, material interests take care of themselves, since the whole energy of the people turns upon the development of our physical resources; and hence the duty of those who have faith and hope in the destiny of America lies elsewhere. In the presence of a whole people thinking chiefly of money; talking of it, yearning for it, toiling, lying, cheating, to get hold of it; adulterating food and drink to make it; displaying it in all its vulgar glitter in their homes and equipages and on their bodies; discussing and solving all problems, even questions of the soul, from a financial point of view; making money the measure of the value of time; determining the worth of education by the power it develops to amass wealth, and even going so far as to hold a man's money the nearest equivalent of himself,—in the presence of such a people there is need of power to proclaim, as with the voice of God, that the goodness of life lies in right-doing, and not in lucre.

"That every gift of noble origin
Is breathed upon by Hope's perpetual breath;
That virtue and the faculties within
Are vital; and that riches are akin
To fear, to change, to cowardice, and death."

J. L. SPALDING.

THE DEMAND OF THE INDUSTRIAL SPIRIT.

THE city of Boston is at this moment the theater of experiments in the healing art that are attracting considerable attention. These experiments differ from those of the prayer-cure, the faith-cure, the cure by imposition of hands, by manipulation, by touch — the method by which the good King George III. expelled the king's-evil from so many hundreds of believing subjects in the last century. In these experiments no prayer is used, no faith is required, no physical contact is needed. Nay, more, on the part of the operator no knowledge of the human system is required, nor of the science of medicine. Cures are effected without faith on the part of the patient, or knowledge on the part of the physician. It is a wonderful step in advance in the science of life, and quite worthy of this sharp and self-sufficient age. Every element seems to be eliminated from the old-fashioned practice of the healing art — except the fee. That is the only thing that is not left to the imagination. I am sorry to say that this remains, for otherwise the ideal state would be reached, in which the physician would say to the patient, Imagine you are healed, and he would be healed, and the patient would say to the physician, Imagine you are paid, and he would be paid — *ex nihilo nihil.*

This remarkable process is dignified with the name of the "Mind-cure." Its grand merit is its simplicity. The patient resorts to the room of the physician. Few or no questions are asked, nothing like an examination is made, nor any apparent diagnosis. There is no question of tongue, pulse, or temperature. I believe the patient is even denied the luxury of rehearsing his complaints. The physician is above all such knowledge. The two, alone in the room, sit down, some distance apart. Nothing is done, nothing is said. The patient is not required to fix his mind upon anything. What the doctor is thinking about, heaven only knows, unless he is pondering the problem

of human credulity. A half-hour passes in silence. That is desirable. A half-hour given up to reflection is seldom lost. The patient then retires, without observations, without directions. This healing process is repeated the next day and the next, and every day for a half-hour for two or three weeks; and the patient is greatly relieved or cured entirely of whatever disease he had or imagined he had. The testimony on this point is abundant, and from good sources. Women walk the streets who have been bedridden for twenty years; men hear who have heard nothing since the war; and eyes that have been painfully askew for years get a rectified focus. The lame leap; the dyspeptic enjoy mince-pie; the "issues," that have been worse than any in the court of chancery, cease.

There are thousands and thousands of people who believe this. They not only believe that actual cures are wrought, which may be matter of observation, but they believe they are wrought by some occult influence in these queer sittings with the mind-cure man. And a theory is provided by the operators of these wonders. As I understand it, it is something more than the effect of the mind of the mind-cure man upon the mind of the patient. The nerves report all sensations to the brain. But for this nervous communication, the sensations would not exist. Pain, therefore, or disease that causes pain, is not real except in the mind. There is no pain in the body after the mind has left it, as in the case of death, and there is no pain when that which communicates sensation to the mind is paralyzed by means of an anæsthetic. The logic of this explanation is that if you cure the mind, to all practical purposes, you rout the disease that has been dominating the mind. It is well known that in moments of intense mental excitement bodily pain and even grievous wounds are not recognized or felt. From such facts as these is educed the hypothesis of the possible supremacy of the mind in all cases of pain and disease. And in the case of an unreasoning child or insane person there must be established over the disease the supremacy of some other mind! In this unknown region of the relation of mind and body is room for the evolution of any sort of theory that assurance can possibly impose upon credulity. And to minds not trained in the detection of fallacies, or disciplined in logical processes, or taught to distinguish between cause and effect and events in juxtaposition of time and order, it seems conclusive that the

ability of a bedridden person to walk after sitting in a room with a mind-cure man is due to that visible process and not to some other cause.

As I am not attempting a sketch of human delusions, it is not necessary to follow out this case further. I only call attention to the fact that multitudes of people, and many of them of more than ordinary intelligence, believe that diseases are permanently removed by what is called the mind-cure. It is simply because this is believed by intelligent persons that I refer to it. It is worthy of note that Boston, which is reputed to furnish the brains for the continent, and is in fact superior, I suppose, to any other American city in general cultivation, is preëminently the hot-bed and home of delusions of this sort. Nowhere else does the mind-reader, the phrenologist, the spiritualistic medium, the clairvoyant, the magnetic medium, the natural bone-setter, the prayer-cure, faith-cure, touch-cure man or woman so thrive. In no other place that I know of is spiritualism more widely accepted, or are various tramps and scamps and impostors of our queer social state more run after. And this is remarkable, because the highest life is the result of the most free interchange of relations, and intelligence is supposed to penetrate and interpenetrate Boston as completely as its horse-railway tracks. For Boston, in the popular estimation, is the place not only where you can and must know everything, but where you can go anywhere for six cents. Mental and physical circulation are practically free.

It was in this same alert city that another successful experiment on human credulity was made a few years ago. I refer to Mrs. Howe's remarkable Woman's Bank. It was not remarkable, perhaps, that a woman should appear, possessed of the financial genius to create and carry on such a scheme; but it was remarkable that women of standing, known to be honest and believed to be sane, should indorse it and warmly defend it. It proposed, it will be remembered, to pay depositors ninety-six per cent. a year, so that a poor woman who intrusted a hundred dollars to it would receive eight dollars a month income, and at the end of the year find her capital unimpaired. And depositors actually did receive eight per cent. a month for some time. This was accepted as a demonstration that they would receive eight per cent. a month forever. And it will be remembered that the women who defended this magnificent system of

banking insisted, in print, that the scheme broke down, not because its principle was unsound, but because it was attacked by enemies who were hostile to this benevolent plan of helping poor teachers and seamstresses. But for this brutal opposition it would have succeeded. Of course, such a scheme could not be carried on without confidence. It was another case of mind-cure.

But it must already appear that I am using Boston only as a type. This is, everybody admits, a scientific age, a skeptical age, an age in which men are not willing to accept anything that does not stand the test of investigation, analysis; to believe anything upon which they have not the evidence of the physical senses. And this is the reason why this age is more subject to illusions and delusions than any other of which I have read. The delusions are not exactly of the same sort as in the myth and legend-making period of the Middle Ages; we have got rid of many superstitions, of the dread of many portents in nature; there may be few who have Dr. Johnson's belief in apparitions, or Sir Matthew Hale's credulity in regard to witches; but there are certain delusions that are much more widely spread than formerly, and take a deeper hold, because we have a conceit that they rest upon a semi-scientific basis, and upon evidence that we regard as irrefragable, the evidence of our senses. And these delusions are not, as most of them once were, confined to the confessedly ignorant, or due to a want of some investigation of natural law; but they prevail among intelligent, even intellectual, minds, which have a habit of skepticism, and demand physical proof before believing. That which is called spiritualism has a purely physical basis. It is a matter of the senses. Men and women believe simply because they are brought in contact with physical manifestations. They hear certain sounds, they see certain objects and certain tangible results of what they are told are spiritual processes, and they believe that a spirit is materialized because they see it. They *see* a human body floating in the air about the room, in defiance of gravitation. They believe that it does so float, because they see it, and because they do not bring any faculties of the mind to rectify what is known to be one of the most fallible witnesses in the world—the human eye-sight.

These people are the fools of their senses, and it may be said in a general way that this scientific generation is more or less

the fool of its senses. We incline to apply to everything the material test. We are taught to believe in the existence of nothing that we cannot see or feel, or reduce to palpable terms by some sort of analysis. We have a sort of philosophy that calls that knowable which can be subjected to physical tests, and regards as unknowable that which eludes the dissecting-knife and the test-tube. There are men and women who are trying to conduct life on this material basis.

Let us see what it is. In our experience, no two eyes see an object exactly in the same way. This discrepancy is owing to a mechanical difference in eyes, which we understand, and to a difference in the report that this organ makes to the brains, which we do not so well understand. It is the same with the sense of hearing and of touch. Upon these variations (eliminating the questions of motives and dishonesty) arise the variations in human testimony, with which we are familiar, both in common life and in judicial procedure. We know how rare it is that a story will pass from one person to another unchanged, how rare it is that two persons will report a conversation, or an occurrence, or describe an object seen by both at the same time, with accurate agreement. One of the commonest cases is that of identity. How often it happens in private life, as well as in the law courts, that two sets of witnesses, of equal credibility apparently, contradict each other squarely as to personal identity.

It happens in this age of facts and of investigation into natural laws, which boasts that it has escaped from mental delusions and superstitions, that persons who stand most squarely upon visible phenomena are often most subject to delusions. It is natural that this should be so, for when a man plants himself upon the ground of believing only what he can see, he is apt to believe all that he can see,—he will trust his senses. He accounts himself a practical, hard-headed, clear-sighted person. He boasts of his common sense. You cannot deceive him. But he can deceive himself. He knows that a human body floated in the air, because he saw it. He knows that his friend was cured by a mind-cure man, because his friend, who could not walk a step, was able to run after sitting half an hour in the room with a mind-cure man. His credulity on the side of his senses passes belief. And the real trouble is not with the man's eye-sight or hearing, but with his logical faculty, his want of self-knowledge; his mind is trained only on one side; he has

no system of philosophy to correct the inherent defects of his physical organization. A materialistic education, at the best, is only a half education.

Now, we may not care for the mind-cure man, nor for the clairvoyant, nor for the so-called spiritualistic phenomena, nor the Woman's Bank. We are using them merely as illustrations of the mental condition of a considerable number of people in this country, or, if you please, of the sort of education, or the tendency of the sort of education that prevails a good deal, and is advocated by a good many people who are not themselves subject to any of the delusions we have been speaking of, an education that, oddly enough, has got the name of practical, because it is supposed to sharpen the senses, train the observing faculties (no matter about the reasoning faculties), and to fit men and women for the real work in life, that is, for getting money and keeping it.

It is not necessary to waste a moment, except to get the right point of view of our subject, upon a condition of the social state with which everybody is familiar. When the chief end of nine persons out of ten is to get rich, and get rich speedily by any means, to the neglect of the mind and even of the body, holding as the cheapest of all possessions books and a contact with the great and entertaining minds of the world, it is no wonder that society-talk, social intercourse, especially among young men, is vapid, pervaded by the mercantile and materialistic spirit, void for the most part of intellectual life, lacking seriousness or ambition, interested only in the frivolities of society and the gaming chances of the street, cultivating moral and mental flabbiness and intellectual vacuity, so that the satirist, with the best intentions, is baffled in an effort to get hold of substance enough in such a life to exercise his sarcasm on. Useless, as a novelist of Queen Anne's time might have said, to paint a society that is painted already.

It might be out of place to mention this here, if it were not a symptom of a well-nigh universal tendency and temper of the public mind. For if getting money, or material success, is really the chief concern, and ought to be, then the underlying philosophy of the time is quite right, and our prevalent theories of education ought to be applied to the end. If it is true that there is no want in the human soul greater than the want of knowledge for material ends, then literature, and what has

been for some centuries understood as a liberal education, are quite useless pursuits. If, I say, the object of an education is mainly to fit a man or woman to take effective part in the struggle for money and place, the direction in which we are urged to go by many high authorities is the right one.

It is not, however, the direction that the philosophers and sages have pointed out. It is not the notion that Plato had of the value to the state and to the individual character of the pursuit of wealth rather than of the things of the mind. You remember that the Athenian Stranger in the "Laws" said that men were ready to pursue any branch of knowledge for the sake of gain; and in this he was a prophet of the state of men's minds in our own time.

The movement is substantially all one way. Those who protest against it stand in a stream, and are jeered at as conservatives and obstructionists. The movement is toward making money and making it quickly, toward every sort of material development and advancement, toward luxury and the indulgence of the senses, toward the sort of education only that can be made immediately serviceable to material ends.

The movement is all of a piece. It is all characterized by a want of the highest aims. The frivolous and vapid society of a certain class is in affinity with the practical purposes of the others. The main object in life being material development, the cultivation of whatever will contribute to material enterprise, a contempt for any pursuit that is not profitable, or any study that cannot add to the money value of the world; the whole motive being low and unspiritual, the flower must necessarily be vulgar display and a social life empty and frivolous. This is the natural flower and fruit of a materialistic age. The fruit of a materialistic education — in which the higher aspirations of the soul are not provided for — is not only a lowering of the aims of life and a deadening of the spirit, but a liability to such delusions as we have spoken of. It would seem, *a priori*, that the cultivation of the scientific spirit, with the sharpening of the physical senses, and a high training of the powers of observation, ought to relieve us from delusions. In individual cases, it doubtless does. If it were true as a general rule, a freedom from delusions ought to be the mark of this generation. But, in fact, and it is becoming evident daily, a purely scientific education is only a half education; it leaves out of view cer-

tain faculties that are as necessary to the enjoyment as to the conduct of life, and it leaves the mind defenseless on one side and unable to correct errors. A mere metaphysical training tends to speculation, and refinement of casuistry, and a ballooning of the imagination. It was the mission of the eighteenth century with the inductive philosophy to bring men back to realities. We are in no danger of underrating its splendid results in modern life. We seem to be in danger of forgetting the importance, to the individual mind and to society, of literature and philosophy, and the laying up of intellectual goods that are safe from moths and from thieves. I beg readers to notice that it is not a question between real science and real literature,— between which there can be no quarrel,— but it is a question of the prostitution of all learning and all methods and facilities of education to merely material purposes, leaving out of view the fact that if you pursue learning not primarily for the cultivation of the mind itself, and in the pursuit of truth, but for concrete ends of utility, you inevitably lower the tone and *morale* of life.

The drift of the age is so strongly materialistic and luxury-loving, and so plainly to the curious kinship we see between skepticism and delusion, that one would think scholars would make a united stand against it in the only way they can resist it—that is, by insisting upon the culture of the mind itself, upon a training of the logical and reasoning faculties, upon precisely those studies that are needed to broaden the mind and enlarge the conception of the life that has been lived, and ought to be lived, in this world, and are as far as possible removed from the so-called practical pursuits that absorb the most of us. One would think that in the colleges and universities the standard of the higher learning might be maintained, that instead of accommodating themselves to the commercial spirit, they would preserve a few places free from it, places where the elevating influences of life should be cultivated.

But the materializing spirit, the industrial spirit, which demands the bending of all powers and all learning to its purposes, is too strong for many of them. This spirit insists that the knowledge of how to shoe and cure a horse, set type, build a railway, assay metals, suit fertilizers to soils, conduct a business, is an education; and if you throw in a modern language or two, it is, I suppose, a liberal education. That is to say, education — this is the reasoning — must be suited to the

exigencies of modern life, instead of endeavoring somewhat to ennoble and correct the tendency of modern life by education.

It is this industrial and commercial spirit, this denial of the higher wants of the soul, under whatever pretense it is disguised, that is demanding a radical revision of the college curriculum, and that the ancient stamp of scholarship shall be put upon fitness for industrial and commercial pursuits. The pretense is often plausible. Young men must be fitted for their work in life; it is the business of a university to teach anything that anybody wants to learn; the number of necessary knowledges has greatly multiplied; it is not possible to give a young man, in four years, the necessary knowledge that he can apply on his graduation and at the same time a training in the humanities; something must be thrown overboard, and, of course, that must go which will be of the least service to a young man in earning a living; though it will be noticed that this argument was never raised in the case of young men destined to the ministry, the law, or medicine. There is competent testimony that a classical training is as necessary to the higher pursuits of science as it is in the professions. But the inference is that the highest object of an education is what these practical people say it is. I presume there are Christian churches that would admit members on a show of works, though the candidates had not faith enough to be detected by a microscope.

It seems to me that just at this moment there is need of insisting upon the importance in life of a pure intellectual culture for as many persons as can obtain it, and of supplementing the practical training with the intellectual culture whenever possible. I know that it is argued that the new learning (and we are constantly reminded that it was not many centuries ago that the classics were opposed as the new learning) is as fit for the highest discipline and training of the intellect as the now traditional humanities.

The analogy sought to be made between the former opposition to the introduction of the classics and the substitution of something else for the classics in a university curriculum, is thought to be very significant. In the language of one of the chief advocates for, at least, a partial substitution, for placing the new studies on a par with the old as to the degree that shall mean to the world a liberal education:

"It took two hundred years for the Greek language and literature gradually to displace in great part the scholastic metaphysics, which, with scholastic theology, have been for generations regarded as the main staple of liberal education. . . . The revived classical literature was vigorously and sincerely opposed as frivolous, heterodox, and useless for discipline; just as natural history, chemistry, physics, and modern literature are now opposed. The conservatives of that day used precisely the same arguments which the conservatives of to-day bring forward, only they were used against classical literature then, while now they are used in its support."

I suppose that President Eliot means by this illustration that there is a progress of ideas, and that there must be a progressive adaptation of methods and means, and he says that he has no intention of abandoning the classics, but only of putting other studies on an equality with them. But if his analogy is put forward as anything more than an interesting historical reminiscence, as a logical argument, then, in the popular apprehension of his position — though he should not be held responsible for that — we should have a syllogism something like this:

Men four hundred years ago opposed the substitution of the classics for scholastic metaphysics as useless for discipline, just as now men oppose the substitution of the sciences, etc., for the classics as comparatively useless for discipline. But the men four hundred years ago were in error in opposing the substitution of the classics. Therefore, the men now are in error in opposing the substitution of the sciences.

And some might be inclined to travesty this syllogism by another:

Many artists in the sixteenth century opposed the substitution of the canons of Greek art for those then current, just as many artists now oppose the substitution of American canons of art for the Greek. But the artists of the sixteenth century were in error in opposing the substitution of the Greek. Therefore, the artists to-day are in error in opposing the substitution of the American.

Notwithstanding these excellent syllogisms, the question remains whether the renaissance of literature, art, and social philosophy in the sixteenth century was or was not a solid, indispensable, and permanent addition to modern culture and discipline.

It is not the purpose of this paper to go specially into the question of the classics. It is my main desire to call attention

to the origin and the spirit of this demand upon the universities, identified as it is with the commercial spirit and the lax notions of education that partially account for many delusions. But it comes in our way to notice one or two things.

I suppose it will be admitted that the NOTE of a liberal education is that it is not provincial or local, but universal. It is the range of thought and not of body that determines whether a man is provincial. Thoreau, on Walden Pond, reading the Greek poets and keeping an eye on the musk-rat and the squirrel and other like visitors, was free of a much larger world than many who have been round the globe. The object of culture is to put a man in relation with the ideas of all ages and civilizations, not to confine him to the ideas local, or of the age in which he lives. And the mind gets the most enlargement from that which is unfamiliar to it, remote from its own inheritance, tradition, local association. This is the use of travel to an observing man, who is capable of assimilating to his mental growth the reports of his senses. This is the use of the study of any of the natural sciences—the enlargement of the mind resulting from an extended field of observation, rather than the value of the collected facts. For the mind may be full of facts in half a dozen sciences, and yet be as dry and infertile as a chip. This is the value of a study of the modern languages, that it opens to one not simply new ways of expressing ideas, which may be of little value, but new methods of thinking and new ways of looking at life and all its problems. Peoples differ in mental constitution, in moral attributes, in intellectual characteristics, just as much as their languages differ in form; for language is not an accidental or artificial product, but an expression of something deep in the life of the people out of whose habits and character and necessities it grew. And that, I suppose, is why translation is so difficult from one tongue to another. It is not a slight thing that is lost, it is the essence of life. And this difficulty of translating increases in exact proportion as the characters and mental and moral traits of the peoples differ. It is as difficult to translate Persian into English as it is for us to get ourselves into the attitude of the oriental mind. But when, through a knowledge of an oriental language, we have come in some degree to take in the oriental attitude of mind, we have a solid and extensive addition to culture and a distinct enlargement of our own mind.

Now, the great objection to the study of Greek—and I am speaking of it now with reference solely to a liberal education, and to a want in the human soul greater than the want of mere knowledge, and not as to its fitness to enable a person to earn good wages in an industrial establishment—is that Greek is a dead language, and Greek life and habits are remote from modern sympathies. That is the very reason I would urge for its study, being what it is, and expressing a civilization and a habit of thought that have passed away. Admitting that it is a dead language, and not for the moment insisting upon its importance in our own language and that it is an expression only of a foreign and remote civilization, I seem to have stated the strongest argument for its being retained in any education deserving to be called liberal. The Greek way of looking at life was different from ours, the whole mental habit was different; this is as evident in its attitude toward the deepest questions as in the play of the lighter and sportive faculties, in wit and humor. With only a superficial acquaintance with its literature I can see that. These people were of our human nature and of like passions, yet in their presence I am conscious of an unlikeness, of a new mystery of existence. The language, the literature, and the people are one. The whole woof and warp of the life of the people, the habit of mind, the philosophy of their living, are interwoven in, and expressed by, their language. This language is as distinct and important a creation in the world as Greek art. It is the mirror, if one may say so, of a wonderful people. To come to a knowledge of this people and their way of looking at life, in the only way it can perfectly be reached,—by their language,—is a great intellectual effort. The very attempt to comprehend a whole system and civilization so different from our own involves not only a vigorous mental discipline, but an enlargement of the faculties very different from the sort of "drill" that is sometimes called discipline. For I am not now speaking of gerund-grinding, but of such a knowledge of Greek life and literature as is now understood by the study of Greek. It not only, as President Eliot says, required two centuries to introduce the study of Greek, but it has taken three more to learn how to study it properly. Perhaps it will turn out that the coming age, more even than the time of the Renaissance, will reap fruits of inestimable value from

the people who still remain the highest examples of simple culture.

There can be no more remunerative effort for the mind than that of putting itself in the position to understand the Greek thought about nature, and about man, and the meaning of life. And this because, as I said before, it is alien to us and to all our modern habits. We get from this study the sort of discipline and intellectual breadth which we cannot possibly get from the study of any modern language, because the ideas, the way of regarding life in these languages, are modern and very much like our own. The Greek chapter in human life is remote, it is closed, it is complete, it is unchangeable, it is set apart as a unique and most instructive performance. The mind is greatly enlarged and fructified by the investigation of any ancient life—Egyptian, Assyrian, Indian; but that of no other nation offers us the same facilities, the same opportunities, as the Greek, in a life so completely expressed in art and in letters. The intellectual effort required to put ourselves *en rapport* with this totally foreign mind seems to me to be of the highest kind and of the highest service. I can conceive of nothing equal to it in the way of bringing the faculties into vigorous play and liberalizing the mind.

There is another and very practical aspect of the question; I mean the value of a classical training as a foundation for high attainments in science, that is, a scientific education not limited by, or dependent on, practical aims. A commercial knowledge of French and German does not require the help of college or university; and a polytechnic school will furnish such a knowledge of science for practical use as the industries demand. The ultilitarian spirit not only demands the substitution of something else for the classics, but it demands a university stamp for a polytechnic education. Now, we are speaking of a real education, and the point insisted on is that a preliminary training in the humanities, in the classics, and especially in Greek, is necessary to high attainments in the sciences and in all the modern languages, including our own. In support of this, I refer to the opinions, based upon experience, of the foremost scholars in science now living; and I do this not in the mere interest of Greek or of science, but of the highest aims of education. It is profoundly significant that the most powerful plea ever made in behalf of the classics should come from the side of science.

The Opinions of the Philosophical Faculty of the University of Berlin, and the address of the great chemist, Dr. Hofmann, the rector, upon the necessity of Greek and Latin as means of the best mental training, have been so often published in this country that it is only necessary for me to refer to them here. The testimony, based on experience, of the necessity of a classical training in the higher walks of science is unequivocal and unanimous. It is of the utmost importance because it goes to the root of the subject of mental training. The pupils without the classical training "had no clear consciousness of their own scientific capacity, and no sure insight into the growth of man's mental life"; "they suffer from the whims of independence and the lack of self-knowledge." Prof. Hofmann says: "Ideality in academic study, unselfish devotion to science for its own sake, and that unshackeled activity of thought which is at once the condition and the consequence of such devotion, retire more and more into the background as the classical groundwork of our mental life found in the gymnasium is withdrawn from the pre-university course." "The ideality of the scientific sense, interest in learning not dependent upon, nor limited by, practical aims, but ministering to the liberal education of the mind as such, the many-sided and widely extended exercise of the thinking power," can be satisfactorily cultivated only in classical institutions. It is the experience in America as well as in Germany that the best civil engineers are those who have had a thorough classical training. The effect of opening the university to non-classical students on equal terms with the classical is the lowering of university instruction itself. Another significant fact is that the directors of the realschule, in order to prevent a constant falling off in standards, require that teachers in them shall have had a classical training.

A criticism has been made upon the report of the Berlin faculty that it was unfair as to the test of performance of the pupils of the realschulen in the university, because these students come from a lower class in society, and have not behind them the traditions of culture of the pupils from the gymnasium. The obvious and sufficient answer to that is, that if the realschule standards prevail, a general deterioration is inevitable, and in another generation all the students will be down to the realschule standard.

The last demand of the industrial spirit is that all education shall be lowered to its material aims; for lowered it will be if all distinction is removed in academic honor between an education for the sake of the mind itself and an education dependent on and limited to material and practical aims. The danger in this is no less to science than to literature and philosophy. It is greatest of all to the tone of modern life. The drift of society is pretty much all one way. The industrial spirit can take care of itself and get all it wants. If those who care for the things of the spirit, for the highest mental life, expect to save anything in the deluge, they must make a united and stout defense of the ledge of rock on which they stand that is still above water.

CHARLES DUDLEY WARNER.

INSPIRATION AND INFALLIBILITY.

"GENTLEMEN," said an eminent professor of Greek exegesis, now an ornament of the English bench of bishops, speaking to a large company of theological students twenty-five years ago,—"Gentlemen, do not commit yourselves, as you go forth into life, to any rigid definition of inspiration." And the counsel was wise and good; specially appropriate to a class of young men who are apt to rely too much upon definitions, to resort to them for answers to all objectors, to cite them as of final authority in the closest controversies. The caution against a too ready trust of such sort was not only wise and good, but it was startlingly novel for the time, and for a collegiate inclosure of the established church. There was a strangely prudential sound in the sentence, to those familiar with the old orthodox style of talk from English pulpits and professorial chairs, about the "plenary" inspiration of the Bible and cognate questions. Fifty years, twenty years, before the time just indicated, no such seemingly timid counsel could have been heard, probably, from any English theological lecturer. What had happened, meanwhile, requiring such discreet evasiveness in dealing with one of the fundamentals of orthodoxy? A fit answer to that question takes us back to an important epoch in the history of English religious thought. "Essays and Reviews" had appeared some little time before, and were already in the hands of great numbers of intelligent men and women; the intellectual air of Great Britain being impregnated by the new, large, fresh, free thought of the scholarly writers; and to Mr. Jowett's paper in the celebrated collection was due, I suspect, more than to any other proximate cause, that bit of prudential advice to a certain class of theological students, not to be in haste in adopting any positive opinion about Biblical inspiration.*

* Of course, such a work as that which "Essays and Reviews" represented had been long going on in Germany; but little heed was given to it by English orthodox teaching, till popular attention was called to it as above indicated.

But why the formally emphasized precaution? What intrinsic difficulty is there in the word that was thus to be allowed to float loosely about in men's minds, because of the danger, or the impossibility, of tying it down to any fixed meaning? The idea and fact of inspiration are familiar to all. The common notion men have of inspiration is correct enough, so far as it goes. It is an invasion of the mind or heart by some power or influence from above us, or from around us, energizing, enlightening, uplifting, and, it may be, hallowing, those faculties or affections of our nature which the inspiring incidents, things, persons, may have the fitness and force thus to incite. And than this sort of experience, there is none more unquestioned among men. All men are believers in, and subject to, inspiration. And hence it is that we all speak so freely, as of a real force acting upon consciousness, of the inspiration of nature, of art, of heroisms, and, supremely, of the transporting power of the loves and hates of men and women. Men of a sober style of speech have not hesitated to speak of great orators, artists, or writers, as inspired men. Certain it is, that multitudes of men and women have been inspired by the genius incarnate in such men, which still breathes, so to speak, through their works. And if one human spirit can so influence another, it is not a claim to be heard with scoffing, that the Divine Spirit has exerted, and still exerts, a mightier potency over the thoughts and affections of men, in ways little more mysterious than those in which the gifts and graces of genius act upon and inspire us. But, strangely enough, and to the serious hurt of the cause he defends, the theologian, while claiming that "every good gift, and every perfect gift, is from above," that "the true light lighteneth every man that cometh into the world," has yet laboriously and persistently denied that inspiration can be properly affirmed, in any but a simply rhetorical sense, of any other than a limited, specific part of the Divine Spirit's work in the enlightenment and moral progress of mankind. A task at which theologians of the orthodox type have worked very hard has been this, in effect,—to find two distinct and mutually exclusive meanings for the word "inspiration," and that in support of a purely artificial theory of their own. They want the word as the designation of a supernatural influence, under which, it is claimed, certain men have spoken truth direct from God; while they dare not deny all inspiration to men not

supernaturally moved. For the moral and religious literature of the world bears witness to the fact, that the deeper experiences of men in all ages and nations have run so inextricably into each other, while the utterances of such experiences have often had so nearly the same pure, spiritual ring in them, that the keenest intellectual insight, with the finest sensibility, has been unable to distinguish between them, as being some inspired and others uninspired. It is impossible, in other words, to mark off the great teachers and leaders of mankind into classes by rigid lines. The most that any such attempt can show us is, that some men have stood on higher ground than others, or have been visited by richer effusions of the one vitalizing, enlightening, and purifying energy. Yet is this indiscriminate classification accepted very generally without question in the Christian world to-day. Moses, David, Isaiah, Paul, were inspired; Socrates, Sakya-muni, Marcus Aurelius, Shakspeare, were uninspired. Inspiration was exclusively the prerogative, that is, of the prophets and teachers through whom God revealed himself in Jewish and in early Christian times. But, accepting that narrow view of the Divine Spirit's operation in the world of moral intelligence and feeling, in what estimate are we to hold the lofty wisdom and the pure goodness that the world has revered in men who have lived beyond the limits within which orthodox teaching confines the gifts of inspiration? Whence words like these? — are they "from heaven or of men?" —

"The Supreme One said: I am made evident by my own power; and as often as there is a decline of virtue, and an insurrection of vice and injustice in the world, I make myself known: and thus I appear from age to age, for the preservation of the just, the destruction of the wicked, and the establishment of virtue."

"Holy acts of sacrifice are performed by those who are devoted to their own duties, whose conduct is right and free from blemish; who are good, and tread in good paths."

"When the intellect is pure as well as the heart, to it the region of the Deity becomes visible."

"God is near you, is with you, is within you."

"A sacred Spirit dwells within us, the observer and guardian of all our evil and our good."

"Be self-denying, but do not boast of it: keep a watch upon yourself as your own most dangerous enemy. Do not plume yourself upon intellectual knowledge, which is in itself quite valueless, but on a consistent nobleness of action. Never relax your efforts, but aim at perfection."

"Bury my body as you please, but do not mourn as if you were burying Socrates. Think of me, rather, as gone to be with the wise and good, and with God, the fountain of all wisdom and goodness."

These voices come to us from out the old heathen world; but, judging them by their spirit and contents, they are as worthy to be counted divine as some of the sayings in "Solomon's Song." "Rare flowers from the garden of nature," evangelical sentiment calls these wise and weighty utterances; but we may be bold to say of them, without fear of irreverence, "All these worketh that one and the self-same Spirit, dividing to every man severally as he will." For St. Paul himself places precisely such an estimate upon certain utterances of heathen wisdom, according to unambiguous statements of the New Testament. From his Hellenistic training and associations at Tarsus, he had become acquainted, it would seem, with Greek writers; which knowledge he does not disdain to use as a Christian missionary; of which fact the record of his visit to Athens presents a striking instance. In the conduct of his great argument on Mars Hill, he accordingly cites, in support of the doctrine of the universal fatherhood of God, a line from the poet Aratus, affirming the broad generous truth.* In the First Epistle to the Corinthians, again (ch. xv. v. 33), he gives us, approvingly, a sentiment from Menander—"Evil communications corrupt good manners"; while in the letter to Titus (ch. i. v. 12), he refers to Epimenides as a "prophet." Thus, words from heathen authors have become part of what we hold to be supremely inspired Scripture, and are themselves therefore inspired. But the inspiration did not come into them, surely, in the mere process of citation, or of transcription; it must have been in the words, or in the truth they expressed, when they came from the original writers.†

We must therefore enlarge our conception of the sphere and function of inspiration, and that under requirement of Bible authority and precedent. St. Paul being judge, other men than Hebrew prophets and Christian apostles have been "moved by

* Or the words may be from a hymn to Jove, by Cleanthes. The sentence is almost identical in form in both authors.

† See a curious notion of Cardinal Newman to the contrary of this, in "The Nineteenth Century," for February, 1884, where he tells us that all that is required to secure the quality of inspiration to a writing is "an inspired editor!" But how can the merely editorial function possibly convey to a writing any essential quality that it had not before?

the Holy Ghost" to the utterance of divine and everlasting truth. Says Farrar:

"God has spoken to men πολυμερῶς καὶ πολυτρόπως, 'at sundry times and in divers manners,' with a richly variegated wisdom. Sometimes he has taught truth by the voice of Hebrew prophets; sometimes by the voice of Pagan philosophers; and all his voices demand our listening ear. If it was given to the Jew to speak with diviner insight and intenser power, it was given to the Gentile, also, to speak at times with a large and lofty utterance; and we may learn truth from men of alien lips and another tongue. They, too, had the dream, the vision, the dark saying upon the harp, the mystic flashes upon the graven gems. . . . . We cannot afford to lose these heathen testimonies to Christian truth, or to hush the glorious utterances of Muse and Sybil, which have outlived 'the drums and tramplings of a hundred triumphs.'"

Doubtless, the highest and best of the Spirit's work in and over men's minds and hearts has been gathered up, by a law of "natural selection," so to speak, into the volume that we therefore hold to be inspired κατ' ἐξοκήν. Such honor cannot be claimed for it exclusively, however, but only in excellence of degree. The Divine Father has been in living contact with men through other avenues of intercourse than book-revelations, and far beyond the limits of the Jewish and Christian Churches. The light supernal has, no doubt, shone most clearly, and fullest, in and through them; but human reason, too, has been a "candle of the Lord"; the conscience has been a prophetic voice in the moral conduct of life, men doing by nature the works of a law that they knew not, otherwise than as written in their hearts. These, also, are among the "fruits of the Spirit"; with all that is true and wholesome in art, in literature, in social order,—in civilization, in a word. And in any definition of inspiration that theology may hereafter summon courage to frame, room must be found for these things, as, in their place and degree, religious and divine.

But while our conventional theory of inspiration, so far as it has any definite character or compass at all, is thus demonstrably very much too narrow, in one important respect it is very much too wide. In the mental processes of nearly all our religious teachers and their disciples, inspiration is assumed to carry with it an absolute infallibility; one broad, concrete, permanent consequence of which is, our possessing a collection of writings distinguished from all others by this one quality of in-

fallibility; which quality, according to traditional estimate, appertains in equal degree to every part of the composite whole that we know as the Bible; every sentence of which, every word of which, indeed, is charged to the full with the heavenly unction, having been dictated to lawgiver, or prophet, or apostle, by the Holy Ghost, and is therefore infallible. This is the theory that has been held inviolable by our evangelical orthodoxy in general, down to our own time; and that in spite of protest and exposure from nearly all the great scholars of all Christian creeds and schools ever since the revival of learning. For the manifold assumption, applied to the Bible as a whole, has very little valid authority to sustain it; but, having once been received into confidence by the devout, ere critical learning had begun its labors, it has been impossible, or it has been deemed inexpedient, to dislodge it, as it is still approved by church "standards" as one of the *articuli stantis vel cadentis ecclesiæ.* How the assumption gained general acceptance, and so long retained it, among the faithful, history shows us. Jewish doctors of the earlier schools drew strong lines of demarkation, as we know, between the inspiration and authority of the several sections into which they divided Sacred Scripture—the Law, the Prophets, and the rest of the books, grouped under the designation Ketubim, or Hagiographa; but a superstitious reverence soon abolished all such distinctions, every part of the canonical collection of writings being credited at length with a plenary inspiration and infallibility;* which lofty estimate of the ancient Scriptures was passively accepted by the early fathers of the Christian Church. Not till the time of Jerome was there any application of the genuine critical faculty to the mass of inherited literature deemed all alike sacred; and even then only in a timid, tentative way; his labors exposing him to reproach as tending to undermine the authority of the Word of God. For neither was the time ripe, nor were the necessary implements in hand, for the formation of a critically discriminated estimate of writings that an idolatrous affection deemed it sacrilege to touch. The leading lights of the church were busy, moreover, with work of another sort, in multiplying and elaborating theological speculations and refinements, and in supplanting the

* A special preëminence was always assigned to the books ascribed to Moses, however.

claims of an infallible book, by asserting, in effect, the superior claims of an infallible church. And so the work of investigation into the origin and true character of the canonical Scriptures had to wait for more luminous days, and for better equipped workmen; the intellect of Christendom lying almost suffocated for centuries under heaps of ecclesiastical disputations and decisions. Here and there a man of learning and insight, and of erratic courage, like Abelard, dared to breast the heavy current of Jewish and patristic tradition, but their daring was denounced as heresy. For the Western Church cared little for critical studies, except to discourage them. The infallibility it was chiefly concerned about was impersonated in the Pope.

But an insurrection was rapidly approaching against all such authority. The "new learning" was spreading through Europe; schools and colleges were increasing; the printing-press began its work; absolute authority over the intellect and conscience was dethroned over large spaces of Christendom; all these being signs of a very threatening significance for the old, ecclesiastical hierarchy. But strange enough, as it may seem to some, and yet not strange to the discerning, the causes that conspired to relax the tyrannous hold of the church over men's minds, only tended to strengthen the old superstitious veneration for the Bible. Men cast away very generally their faith in an infallible church; but, as if the Christian life were impossible without the support of infallibility of some sort, they betook themselves the more eagerly and the more trustingly to an infallible book. And thus, from the epoch whence we date the birth of a larger intellectual liberty in Christendom, and at which we catch almost the first breath of an honest and competent criticism,—from that period has come down to us the driest, hardest, most irrational, and relentlessly dogmatic bibliolatry ever known in the religious world; and chiefly from the pressure of the historical exigency just indicated,— the keenly-felt need of some other infallibility to take the place of the discarded infallibility of the church. * Some of the first Reformers

* This frank statement may please those who long for the restoration of the autocratic authority of the church. Yet is the wish foolish. Revolutions never go backward. The church, while in possession of absolute power, almost wearied the world of her presence. See Art. XIX. of the Church of England's famous Thirty-nine.

were large-minded and free in their estimates of Holy Scriptures, particularly Luther; who, though declaring at one time that, "one letter, yea, a single tittle, of Scripture, is of more and greater consequence than heaven and earth," nevertheless exercised an untrammeled judgment on these matters; boldly setting aside, "not only the strict inspiration, but the divine authority" of several books of the Old and New Testaments. Such freedom was in part the consequence of a fervent faith in one of the leading tenets of Protestantism, viz., that a considerable part of the Old Testament was useless, and in effect dead, for the evangelical believer since "grace and truth" had come through Jesus Christ. But, as in later Judaism, an unreasoning reverence prevailed over the discriminations of criticism, and soon verbal inspiration and an absolute infallibility were claimed, with stronger emphasis than ever, for every part of the Bible; the writers of the several books being regarded as simply the amanuenses of the Holy Ghost, an infallible inspiration being asserted for even the vowel-points and accents of the sacred text.

Such extravagance was rebuked or corrected, from time to time, by men of culture and of conscience, among Evangelicals and among Romanists; conspicuously and most effectively by Erasmus, since whose rummaging among musty manuscripts, and the publication of his annotations to the New Testament, there has been no peace for believers in verbal infallibility. What is the theory worth, at best, to those who, for more than two thousand years, have had to rely upon translations to get at the pure truth of God? Unless the church has had a perennial supply of Dr. Newman's "inspired editors" all along, able to detect instinctively all mistakes of copyists, the claim to verbal infallibility in behalf of the Bible is absurd. But the book itself in its inherent character refutes the claim. One sacred writer very frequently cites the doctrine of an earlier, as so often in the New Testament; but very seldom is any importance attached to the words in which the doctrine had been expressed. Chief regard is had to the thought or truth of the elder writer, the citation being sometimes very different in its verbal dress. Not only so, but in the various accounts we have of the same fact or event in sacred history, we have the largest and most conflicting diversity in the words employed in the records. For which version, then, is plenary inspiration to be claimed? Or what

becomes of the notion of verbal infallibility in such cases? In respect to the writing over the Cross, for example, one evangelist asserts that the inscription ran thus: "This is Jesus the King of the Jews"; another, that it stood thus, simply: "The King of the Jews"; another puts it thus: "This is the King of the Jews"; and another thus: "Jesus of Nazareth, the King of the Jews." Which of these is verbally infallible? Surely it were enough to say that all the four bear witness to the infallibility of the substantial fact, which each gives in his own way. Or, again, how can we prefer the claim of infallibility in behalf of all the four or five widely divergent controversialists in the Book of Job? or for the conflicting sentiments and reflections of the wise but moody author of the Book of Ecclesiastes? Or how can we honestly apply the claim not only to the pure, sweet, and sublimely devout utterances in the Book of Psalms, but also to the angry and sometimes horrible imprecations in that same justly cherished collection of sacred songs? I know that orthodox commentators, deeming the imprecations unworthy the lips of David or of other Hebrew singers represented in the collection, have dared to transfer them as prophecies to the lips of Jesus Christ; but a more outrageous insult was never done to the intelligent faith and affection of those who honor "the name that is above every name."

The spirit and purpose of this article will be misjudged if it be construed as an unqualified onslaught upon the doctrines indicated in the title. Both inspiration and infallibility are here affirmed, and emphasized, as predicable of the Biblical writings; but not indiscriminately. Inspiration is a power of many differing degrees, not wholly confined to men or matters professionally sacred. No just exception can be taken to the phrase "verbal inspiration" when reasonably interpreted; for words have been and are often inspired, as being the utterances of inspired men. While an absolute infallibility may be conceded to some sayings that have come down to us,—to those of the Lord Jesus Christ, to wit, so far as we can get at them. But for all the essential needs of the Christian life, all we can ask, for our guidance and comfort, is a moral infallibility; and Christ has told us how we may attain to that. "If any man will do his will, he shall know of the doctrine that it is of God." And surely that should content any who may have been near

breaking down into tears, saying, "What shall we do, if you destroy our trust in the infallible Word?"

Let us have done with all timid concealments, all sophistications, all turgid talk, and with all cant, in the cause of religion.

Says Professor Jowett, in "Essays and Reviews":

"When interpreted like any other book, by the same rules of evidence, and by the same canons of criticism, the Bible will remain unlike any other book: its beauty will be freshly seen, as of a picture which is restored, after many ages, to its original state; it will create a new interest, and make for itself a new kind of authority, by the life that is in it. It will be a spirit, and not a letter, as it was at the beginning; having an influence like that of the spoken word, or the book newly found. The purer the light in the human heart, the more it will have an expression of itself in the mind of Christ. . . . . No one can form any notion, from what we see around us, of the power which Christianity might have if it were at one with the conscience of man, and not at variance with his intellectual convictions."

J. H. RYLANCE.

THE NEED OF LIBERAL DIVORCE LAWS.

WITHIN the past few years a new interest has been awakened in questions relating to marriage and divorce, many of the ablest men in England, France, and America taking part in the discussion. In the prolonged debate on "the deceased wife's sister's bill," in the British Parliament, we have had the opinions of the leading men of England as to what constitutes marriage, and the best conditions to insure the happiness and stability of home life. In the French Chamber of Deputies, where a divorce bill* has been pending for years, the social relations have been as exhaustively discussed. And now, the proposition to secure a general law of divorce in the United States, by an amendment to the national constitution, must necessarily arouse a wide-spread agitation in this country.

When a distinguished Judge of the Supreme Court of New York, in an able article in one of our most liberal reviews, suggests important changes that should be made in our laws regulating the marriage relation, it is time for every good citizen to give a candid consideration to this subject. With many points made by Judge Noah Davis most thoughtful minds must agree, viz., the wisdom of having uniform laws in every State; more stringent laws against early marriages; the same moral code for men and women; that marriage should be regulated by the State, by the civil and not the canon law, wholly independent of church interference, unless the parties desire to solemnize the contract with its ceremonies. Thus far I agree with Judge Davis; but there are a few other equally vital points that I would suggest to him for reconsideration.

In common with the British Parliament, the Chamber of Deputies, and the general spirit of our laws, he regards marriage too much as a physical union, wholly in its material bearings,

* Introduced by M. Naquet.

and from the man's stand-point. He says: "Restrictions ought to be imposed on the marriage of infants. The common-law rule of twelve years for females and fourteen for males is not a fit or decent one for this country. The age should be at least fifteen and eighteen years." On what principle, I would ask, should the party on whom all the inevitable hardships of marriage must fall, be the younger to enter the relation? Girls do not get their full growth until twenty-five, and are wholly unfit at fifteen for the trials of maternity. Both mother and child are enfeebled in such premature relations, and the girl robbed of all freedom and sentiment just as she awakes to the sweetest dreams of life. Few fathers or mothers would consent to the marriage of a daughter of fifteen, and the state, by wise laws, should reflect the common sense of the people. What knowledge can a girl of fifteen have of the great problems of social life, of the character of a husband, of the friendship and love of which the true marriage should be an outgrowth?

The state not only views marriage as a physical union and a civil contract, but seemingly as of inferior importance to all other contracts. A legal contract for a section of land requires that the parties be of age and of sound mind; that there be no flaw in the title, no liens or mortgages thereon not specified; and that the agreement be in writing, with the names of parties and witnesses duly affixed, stamped with the seal of the state, and recorded in the office of the county clerk. But a legal marriage, in most of the states, may be contracted between a boy of fourteen and a girl of twelve, without the consent of parents or guardians, without publication of banns, without witnesses, without even the signatures of the parties, the presence of a priest, or of any officer of the state.

Though we are taught to regard France, of all European nations, most lax in social morals, yet her legislation on marriage is far more stringent than ours. By French law the husband must be eighteen, the wife fifteen. The consent of the parents or guardians of both parties is required, and, in case of their refusal, the contract cannot be made until the man is twenty-five, and the woman twenty-one. The marriage must be preceded by the publication of the banns, and the ceremony performed by a public official, at his office, in the presence of four witnesses. It is, moreover, recorded in two special registers, one of which is deposited in the archives of the state. Yet, while this contract

may be formed so ignorantly, thoughtlessly, and irreverently in the United States, the whole power of law, religion, and public sentiment are now about to be summoned to enforce its continuance, without regard to the happiness or misery of the parties.

Judge Davis speaks of divorce as the foe of marriage. He makes this mistake throughout his article. Divorce is not the foe of marriage. Adultery, intemperance, licentiousness are its foes. One might as well speak of medicine as the foe of health. Again, in surbordinating the individual to the state, the premises of Judge Davis are unsound. He says, "the interests of society are first and paramount, those of individuals secondary and subordinate." We have so often heard the declaration that the individual must be sacrificed to society that we have come to think their interests lie in different directions; whereas, the reverse of this proposition is true. Whatever promotes the best interests of the individual promotes the best interests of society, and *vice versa*. The normal condition of adult men and women is one of individual independence, of freedom, and of equality; their first duty, the full development of their own faculties and powers, with a natural right to life, liberty, and happiness, and of resistance to all artificial contrivances that endanger life, curtail liberty, or destroy happiness. The best interests of the individual are the primal consideration; individual happiness, the only true basis of a happy home, a united church, a peaceful state, a well organized society. "We must first have units," says Emerson, "before we can have unions." We must have harmoniously developed men and women before we can have happy marriages. The central idea of barbarism has ever been the family, the tribe, the nation, never the individual. The Roman idea, the pagan idea, was, that the individual was made for the state. The Christian idea is the sacredness of the individual, superior to all human institutions. It was this central truth, taught by the great founder of our religion, that gave Christianity such a hold on the people, slowly molding popular thought to the higher idea, culminating at last in the Protestant Reformation and a Republican Government, alike based on individual rights, on individual conscience and judgment.

In regard to Judge Davis's proposition for an amendment to the national constitution, to make the laws homogeneous

from Maine to Texas, the question naturally suggests itself, On what basis should this general law be enacted? On the progressively freer divorce laws that the true American sovereign of the West will surely demand, or on more restrictive legislation? It is evident that Judge Davis inclines to the latter; but in selecting South Carolina as his standard of "peace, purity, and felicity" in family life, because no divorce laws have existed there, he is most unfortunate alike in his philosophy and his statistics. From 1872 to 1878, divorces were obtainable for adultery in South Carolina, but none were granted. In 1878 the law was repealed. Judge Davis indicates, in a very indefinite manner, the result of having no divorce law in South Carolina; he says: "I am greatly misinformed if in that State the peace, purity, and felicity of families do not maintain a far higher standard than in States where divorces are the chronic mischief and misery of domestic life." I will prove by judicial evidence the disastrous effect that the want of a divorce law has had on the family life of South Carolina, the only State in the Union in which a divorce has never been granted. "The Legislature has found it necessary to regulate, by statute, how large a proportion of his property a married man may give to his concubine." *

This fact proves that where divorces are not permitted, meretricious connections will be formed. The above-mentioned law would not have been passed unless there had been subject-matter for it to operate upon. But listen to the words of wisdom from the judicial bench of South Carolina:

"In this country, where divorces are not allowed for any cause whatever, we sometimes see men of excellent character unfortunate in their marriages, and virtuous women abandoned or driven away houseless by their husbands, who would be doomed to celibacy and solitude if they did not form connections which the law does not allow, and who make excellent husbands and virtuous wives still. Yet they are considered as living in adultery, because a rigorous and unyielding law, from motives of policy alone, has ordained it so." (Nott, *J.*, in Cusack *vs.* White, 2 Mill, 279, 292.)

This is the system that a Judge of the Supreme Court upholds and praises, and is sustained by the Supreme Court of Georgia, which says: "In South Carolina, to her unfading honor, a divorce has not been granted since the Revolution." I

* See Denton *vs.* English, 3 Brev., p. 147; also Canady *v.* George, 6 Rich. Eq., p. 103.

would refer the learned judges of New York and Georgia to the case in South Carolina of Jelineau *vs.* Jelineau, 2 Des., p. 45, where a man took his negro slave woman to his bed and board, and with brutal punishment compelled the unoffending wife to eat with his colored concubine. To her "unfading honor," the powers of the State of South Carolina compelled this family to live on in "peace, purity, and felicity." One of the ablest writers on this subject, Joel P. Bishop, says:

"That the judges should themselves praise the legislation of their own State is no more than we ought to expect; since all men esteem what is their own more highly than what is another's. Thus it is remarked by O'Neal, *J.*: 'The most distressing cases, justifying divorce even upon Scriptural grounds, have been again and again presented to the Legislature, and they have uniformly refused to annul the marriage tie.' They have nobly adhered to the injunction, 'Those whom God has joined together, let not man put asunder.' The working of this stern policy of 'nobly' refusing redress even in the 'most distressing cases,' where Scripture joined with reason in crying for redress, has been to the good of the people and the State in every respect.' And another of her judges exclaims: 'The policy of this State has ever been against divorces. It is one of her boasts that no divorce has ever been granted in South Carolina.' Could South Carolina truly declare that no husband within her borders had ever proved unfaithful to the marriage vow, and no wife had been false to her husband; that the observation judicially made by one of her judges concerning marriages in this State is in no part true, namely, 'all marriages almost are entered into on one of two considerations, love or interest, and the Court is induced to believe the latter is the foundation of most of them' (Thompson, *J.*, in Devall *vs.* Devall, 4 Des., 79); that no judge of hers had from the judicial bench proclaimed it a virtue to commit the legal felony of polygamy, and to live in adultery; that no class of men existed in the State calling for legislation to regulate their connections with their concubines,—then, indeed, might the people of the other States talk of 'unfading honor,' which had settled as a halo, or as a crown of glory about her brow!"

Another view of the domestic virtue and felicity of South Carolina law can be had by reference to the United States Census of 1880, which shows the number of mulattoes, or the mixed races, in that State. Where concubinage is recognized, there is no pressing need for liberal divorce laws.

Judge Davis says: "In the colonial history of the State of New York, for more than a century, divorces were unknown." The Patroon Courts granted divorces in 1630, and other divorces were granted in 1655. In Massachusetts divorces were granted before 1674. In Connecticut, before 1655. I am informed that the declaration by Judge Davis, that a legal divorce can be obtained

in New York in twelve hours, is incorrect. In case of a default, the plaintiff cannot get judgment in less than twenty days. If the defendant answers, the motion for judgment must be made at the regular Special Term, in accordance with the accurate interpretation of rule 77 by Judge A. R. Lawrence. In this latter case, the plaintiff cannot get judgment in less than one month. It usually takes at least two months to get judgment in the simplest divorce case. But if it be true in the case specified by Judge Davis, where the crime is adultery and the parties are agreed, that a legal divorce and marriage can occur within twelve hours, the question is, Who is responsible for such laws? and can we safely trust legislators who have placed the marriage institution on such uncertain foundations to draw up a constitutional amendment giving general laws to all the States? Again, Judge Davis's inferences from his facts are not logical. He says the percentage of divorces is largest in States furnishing the readiest facilities for dissolving the union. True, but it is not because the inhabitants of that State are made fickle and faithless by the laws, as he suggests, but because large numbers of persons come from States having rigid divorce laws into those furnishing the readiest facilities for their purpose. The number of divorces granted in a given State is no indication of the general discontent of its own citizens.

Judge Davis is equally unfortunate in his facts of ecclesiastical history. He calls monogamy "an Hebraic Christianized idea." The Hebraic part of that idea was pure polygamy; the Christianized part was the unchanged polygamy of the early Christian church, except where and until it came in contact with the monogamic Greek and Roman civilizations—omitting the Germanic and Norse monogamy from the account, only because Christianity reached them after its modification by Roman civilization. Neither Christ nor his disciples ever attempted to change polygamous into monogamic marriage, any more than they attempted to change absolute political despotism into constitutional or republican government, or to abolish slavery where they found it.

The Catholic Church early seized the control of marriage, as she did of every institution that would give her a hold on mankind, and administered its ordinances in the most tyrannical form as regards the masses, her instinct ever being restrictive; though she always claimed for herself the right of divorce, and

exercised it for what she deemed sufficient cause. One of the prominent features of the Reformation was the demand of its great leaders for free divorce, in the interests of morality, in view of the licentiousness of Catholic Europe. And to-day the only hope for the purification of manners and morals is in free divorce; in elevating the ideal of marriage so that it shall consist of the spiritual as well as the physical element. Where unfitness exists, it would be for the interest of society for the state to step in (supposing authority in the matter an admitted fact), and insist on annulling the contract, instead of impeding a separation. The popular objections to divorce are unsound and contradictory.

First. It is said, to make divorce respectable is to break up all family relations,—which is to say that human affections are the result of church canons and statute laws. The love of men and women for each other and for their children existed long before human governments were established, and will survive when all these artificial arrangements shall have passed away. Did the happy wives in this State ever suppose that the regret they felt in leaving home, husband, and children, and the joy in returning, were due to the stringent divorce laws of New York; and that without these they would have been wanderers on the face of the earth? To open the door of escape to those who live in contention, would not necessarily embitter the relations of those who are happy. On the contrary, freedom in all relations strengthens the bond of union. When husbands and wives do not own each other as property, marriage will be a life-long courtship, not a weary yoke, from which both may sometimes long for deliverance. Many a tyrannical husband, knowing that public sentiment would protect his wife in leaving him, might become gracious and reasonable; and many a peevish wife, knowing that her husband could honorably sunder the tie, would soon change her manners.

Second. It is said that the fickle would separate for trifling causes, and that unprincipled men, from love of change, would take a new wife every Christmas, if they could legally rid themselves in season of the old one. As the centripetal forces in the material world are strong enough to hold matter to a common center against all outside attractions, so, in the moral world, the love of change is subordinate to the stronger love of the familiar objects and conditions about them. All ex-

perience proves the truth of the historical maxim, "Mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they have been accustomed." This objection is based on the idea that woman will always remain the helpless victim of every man she meets. But a new type of womanhood is developing under our free institutions, demanding higher conditions. Educated to self-support, with a profitable place in the world of work, with land under her feet and a shelter over her head, the political equal of the man by her side, she will not clutch at every offer of marriage, like a drowning man at the floating straw. Though men should remain just what they are, the entire revolution in woman's position, now begun, will force a new moral code in social life. But the virtue and independence of women must evolve a higher type of manhood, also.

Third. Some claim that the interests of children require an indissoluble tie. It is a great blessing to be well born, to be welcomed on the threshold of time, and to be reared in an atmosphere of peace and love. No amount of care and education can ever compensate a child for the morbid conditions of its organization, resulting from coldness, indifference, or disgust in the parents for one another. Next to the misfortune of such a birth, is the demoralizing influence on children trained in an atmosphere of discord and dissatisfaction, such as a false marriage relation inevitably creates. One of the strongest reasons for demanding the release of unhappy wives and husbands is the evil effects on the children.

Fourth. Men and women, it is said, would not exercise the deliberation they now do, if to marry ill were not considered a crime, and the parties doomed to suffer a life-long penalty. Nothing could be more reckless than what is done legally every day, under the present system—when to be seen merely walking together may be taken as evidence in court of intent to marry, and going through the ceremony in jest may seal the contract. The fear of transient conditions would make the parties far more careful in making their family arrangements. Women, acting on the faith of a life-long relation, a permanent home, are very apt to surrender all their earthly possessions into the hands of husbands who spend their substance and then abandon them to self-support. The theory of the indissoluble marriage never was and never can be practicable, except for the best

organized men and women, in happy relations, and they are a law to themselves. For others, legal divorces are far better than discord or erratic relations outside of law. Impulsive people, under the influence of strong passions, pay little attention, in any circumstances, to laws or future consequences; and very few know what the laws are, or the penalty for their violation.

Fifth. It is said that the Bible is against divorce. When those who are opposed to all reforms can find no other argument, their last resort is the Bible. It has been interpreted to favor intemperance, slavery, capital punishment, and the subjection of women; and now, in the face of the most pronounced declarations, and the example of "men after God's own heart" and his chosen people for centuries, we are told that it condemns divorce. The one form of marriage recognized in the Bible is polygamy, both in the Old Testament and the New. It was at a Jewish polygamous wedding that Jesus performed his first miracle, and polygamy was practiced by Christians for centuries. It would be rather a difficult task for one thoroughly versed in Scripture to prove the monogamic marriage and the indissoluble tie by any fair interpretation of Hebrew or Greek texts.

As the great majority of divorces are asked for by women, release and divorce are of vital importance to them. No words can describe the infinite outrages to which women are subject in compulsory relations for which the law gives no redress. The decisions of judges in many cases show that the subjection of woman is the very essence of the law of marriage; and how could it be otherwise when the contract and all the statutes governing it have been made by one of the parties, while the other has been profoundly ignorant of its provisions and specifications. How many women in this republic know anything of the spirit or letter of the civil or canon law on this whole question of marriage and divorce? Not until they feel its iron teeth in their own flesh do they awake to the helplessness of their position. Thus far this vital question has been discussed by man; he has spoken in Scripture, and he has spoken in law; from the beginning he has had the whole and sole regulation of the matter. In all history, sacred and profane, woman has never been recognized as an equal party to the contract. Will the remedy that Judge Davis proposes, a general law on the basis

of the code in South Carolina, bring new liberties to woman? No, no; in justice to the daughters of this republic there should be no such final settlement of this question as a constitutional amendment involves until woman has a direct voice in the legislation of the country. For the past half century, those who understand our system of jurisprudence have been constantly protesting against the spirit and letter of the common law of England on which our system is based, until many of the old statutes so degrading and oppressive to married women have been, one after another, swept away. Finding the marriage relation theoretically a condition of slavery, and practically so when tyrannical husbands chose to avail themselves of their legal rights, women early began to ask release from their yoke of bondage, and here and there humane legislators, roused with a sense of woman's wrongs, began to open the door of escape through liberal divorce laws. But at first it required great courage and self-respect for wives, however miserable, in the face of time-honored laws, religion, and public sentiment, to avail themselves of these new privileges. Now, with higher light and knowledge of the true marriage, and all the responsibilities that grow out of it, they begin to feel themselves more degraded by remaining with unworthy and unloved partners than by sundering the unholy ties that bind them in such unions. When we appreciate the fact that the vast majority of applications for divorce are made by women, that liberal divorce laws for oppressed wives are what Canada was for Southern slaves, it is clearly a work of supererogation for learned men to demand "more stringent laws for women's protection!"—protection, such as the eagle gives the lamb he carries to his eyrie! Alas, for the wrongs that woman has suffered under the specious plea of protection!

If the marriage institution is of divine origin, we may safely trust him who ordained it to see that "those whom he hath joined together will never be put asunder." It is not necessary to reënact the laws of God. Liberal divorce laws are intended to enable those only whom God has not joined together to be put asunder. Such laws, so far from being barbarous and degrading, indicate the growing independence, intelligence, and virtue of American womanhood. Our decreasing families, so far from being an evidence of the dying out of maternal love, indicate a higher perception of the dignity and responsibility of

motherhood. With woman's keen sense of moral principles, she begins to appreciate the awful waste of human force as she contemplates the panorama of our social life: the unhappy inmates of our jails and prisons, of our asylums for the insane, the deaf, the dumb, the blind, the orphan and pauper, the innumerable standing army of drunkards, the multitudes of children whom nobody owns, and for whom nobody cares—cold, hungry, their feet in slippery places, sleeping at night in all our cities, like rats, in any hole they can find. In view of these appalling facts, the mothers of the race may well pause and put the question to themselves, Is it for such as these we give the heyday of our lives? For such as these we ever and anon go down to the very gates of death? Is this a life-work worthy our highest ambition, a religious duty for our best powers? The answering echo from every mountain-top is, No! Above the thunders of Sinai, a warning voice, loud and clear, rings through the centuries: "The sins of the fathers shall be visited upon the children, to the third and fourth generations."

Before claiming that marriage is a divine institution, before binding women by further restrictive legislation, let the high-priests at the family altars purify themselves, body and soul, and make themselves fit to be the creators of immortal beings. Science has vindicated the right to discuss freely whether our ancestors were apes; let it be as free to ask whether our posterity shall be idiots, knaves, and lunatics; and if not, by what changes such wretched results may be avoided. Judge Davis's picture of the general upheaval in our social life, under liberal divorce laws, is, indeed, a sad presentation of the possible future; but a change in the civil code will not destroy all natural affections. Is family life with the mass of mankind so satisfactory that it calls for no improvement? Change is not death, neither is progress destruction. We have shifted governments from despotisms, empires and monarchies, to republics, without giving up the idea of national life; and we Americans believe that greater peace and prosperity are enjoyed in a republic than under any other form of government. True, these changes from the lower to the higher have involved hot debates, violence, and war; but the free institutions we enjoy more than compensate for the struggles we have endured. We have changed the foundations of the church, too, without destroying the religious sentiment in the human soul. The dissensions in the church have filled the world

with despair for ages and deluged nations in blood; but the right of individual conscience and judgment, against all authority, is the result. Though the cardinal points of our faith have been changed again and again, yet we have a church still. So we shall have the family, that great conservator of national strength and morals, after the present restrictive divorce laws are all swept from the statute-books. To establish a republican form of government in the family must of necessity involve discussion and division; but more satisfactory relations will be the result of the transition evils that we now see and deplore. The same law of equality that has revolutionized the state and the church is now reorganizing the home. The same process of evolution that has given us a state without a king and a church without a Pope, will give us a family without "a divinely ordained head," in which the interests of father, mother, and child will be equally represented.

ELIZABETH CADY STANTON.

OUR REMOTE ANCESTRY.

Of what sort of ancestry do we boast? What kind of blood-mixture circulates in our veins? Of what distant lands does it bring us the reminiscence? Of what migrations, what conflicts, what miseries, what aspirations? Who are we, that have been made by the strife and tumult, the crash and collisions, of the ages whose sounds have so long been silenced? Let us glance back over the ethnic chaos out of which we have emerged.

The first whispers of historic story tell us of men who dwelt in caves. They had neither houses, nor plows, nor horses, nor vessels, nor metals, nor the products of the loom. They were found in all parts of Europe by the first immigrants from Asia and Africa. Penetrating the earth like miserable ants, says Æschylus, these men concealed themselves in caverns without light. Prometheus (that is the Greeks) brought them the plow, and taught them to yoke the ox. The Cyclopes of Homer dwelt in caverns on the summits of the high mountains. According to Thucydides they occupied Sicily before the entrance of the Iberian Sicanes. Diodorus Siculus places them in Crete. Pausanias describes them in Sardinia. Vergil, in his sketch of prehistoric Latium, pictures autochthonous inhabitants born of the tough oak, living without laws, and ignorant of the arts of civilization. These people did not belong to the Mediterranean race. When Ulysses talked to Polyphemus about the Greek gods, the giant knew nothing of them. The Cyclopes, then, were not only not Greeks, they were not Indo-Europeans, for all the Indo-Europeans worshiped Zeus-pitar. Grimm, on linguistic grounds, predicated their affinity with the Finns. The Finns have relations with the Mongoloids.

Indo-Europeans are known to have been in Europe as early as 2000 B. C. Before this epoch two empires had been established by other invaders—the Iberian in the south-west, and the Pelasgian in the south-east. The Iberians entered by the

Pillars of Hercules. They came from Atlantis and northern Africa, at the time when the Hamitic Berbers were gaining possession. They overran the Spanish peninsula, founded cities, built a navy, carried on commerce, extended their empire over the countries that later were known as Gaul and Britain, held Italy as Sicanes when Rome was founded, long before the sack of Troy, and from Italy passed into Sicily as early as 2000 B. C. Here they were disturbed by Pelasgians, while along the Mediterranean shore Aryan Ligures penetrated to the Pyrenees and beyond. By sea they were invaded by the Tyro-Carthaginians, and after a naval battle, succumbed. By land they were tormented by the Ligures and Gauls. By 1000 B. C., the Phœnicians possessed the greater part of Spain. The Basques are the only existing remnant of the Iberian people, and they are extensively Gallicized. Their language, says Whitney, possesses some affinities with those of the American family, which is ethnically Mongoloid; but their cranial characters approach the type of the Guanches and Berbers, which is Hamitic.

The Pelasgic Empire was at its meridian as early as 2500 B. C. This people came from the islands of the Ægean, and more remotely from Asia Minor. They were originally a branch of the sunburnt Hamitic stock, that laid the basis of civilization in Canaan and Mesopotamia, destined later to be Semitized. Danaos and his daughters—that is, the fugitive "Shepherds" from Egypt—sought refuge among their Hamitic kindred in the Peloponnesus about 1700 B. C. Three hundred years before this these Pelasgians had learned the art of weaving and agriculture from Aryan immigrants. In time they occupied the whole of Greece and Thessaly. Before 2000 B. C., they established themselves in Italy, and, after reverses and Aryan subjugation, founded a later empire — 992 to 974 B. C.— known as Etruscan, which extended north beyond the Po. Rome itself was Pelasgian from the fourteenth century to 428 B. C. But in Italy and in Greece the Hamitic stock was displaced and absorbed by Aryan, as in Asia it had been by Semitic.

The European branch of the Aryans crossed the Urals and the Volga about 2500 B. C., and occupied southern Russia till 1500 B. C. They brought into Europe a knowledge of gold, silver, and bronze, as well as the plow and the loom. In process of time they ramified into Thraco-Illyro-Ligures, Greco-Italo-Kelts, and Slavo-Germans. Thracian fortunes in Asia Minor we

pass by. The Thracians were on the borders of Greece 2000 B. C., and, by a succession of conquests, wrested from the Pelasgians most of their insular and continental possessions. They introduced barley, the vine, and the domestic horse. When, about the sixteenth century B. C., they yielded Greece to the Hellenes, they indemnified themselves by the conquest of Scythic territory north of the Danube, and the boundary line between them—or their Illyrian brethren—and the Scyths fluctuated for many centuries, till 300 B. C., when the Kelts occupied all the region. However, the Thracian Getæ, as Dacians, 200 B. C., still stretched from the Euxine to Germany. The Illyrian branch, known on the north of Macedonia from 450 B. C., extended over parts of Hungary, Austria, Servia, Styria, and Carniola; and, as Venetes, into Italy, and southward along the Adriatic. They were bounded northward by the Scyths. Even after Keltic subjugation, the perpetuated Illyrian tongue indicated a large Illyrian population. The maritime and commercial Ligurian branch flourished chiefly in Italy, and in the sixteenth century B. C. had their capital at Saturnia, afterward Rome, being succeeded by Ombro-Latins until the eleventh century. They had already spread into Gaul, and coastwise, 2000 B. C., as far as Spain—the first Aryan people in western Europe. The Hellenes, divaricating in the valley of the upper and middle Danube, from the common Greco-Italo-Keltic stock, crowded down by the shores of the Adriatic, gradually displaced their Aryan brethren in the south-east, and colonized eastward and westward, penetrating the Peloponnesus as Achæans in the fourteenth century. The Keltic branch of the same stock, expanding westerly and southerly, came, in the sixth and fifth centuries, into possession of all central Europe, Italy, Spain, and Britain. The Slavo-Germans were under the yoke of the Scyths as late as the end of the fourth century. The German Bastarnians acquired independence about 182 B. C., and the Slavs appear about 77 A. D. The Scyths were an Iranian branch of Aryans. Leaving the shores of the Oxus after a conflict with the Massagetes, they crossed the Dnieper about 1500 B. C., reached the Danube about 950 B. C., crossed the Danube 700 B. C., and in the fifth and fourth centuries asserted their authority nearly to the eastern Alps, driving the Kelts to their warlike encroachments on all the southern and western parts of Europe. In the seventh century, the Scythic empire covered all southern

Russia, and stretched from the Euxine to the Baltic, besides embracing the greater part of Persia and Turkey in Asia. This generalized synopsis of the earliest known ethnic movements in Europe need not be brought down beyond the Christian Era, but may be advantageously condensed in the following exhibit of successive populations in several countries:

SPAIN. — *Mongoloid* Cyclopes; *Hamitic* Iberians, 3500 to 3000 B. C.; *Aryan* Ligures, 2000 B. C.; *Semitic* Ægypto-Phœnicians, 1000 B. C.; *Aryan* Siculi (Ligures), 1034 to 500 B. C.; *Aryan* Kelts, from seventh to fourth century B. C.; *Hamito-Aryan* Romans, 206 to 19 B. C.; *Aryan* Germans, fifth century A. D.; *Hamito-Semitic* Moors, 711 A. D.

ITALY. — *Mongoloid* Cyclopes; *Hamitic* Iberian Sicanes, before 2000 B. C. in north and center, and *Hamitic* Pelasgians in the south; *Aryan* Ombro-Latins in nearly all Italy in fourteenth century B. C.; *Hamitic* Etruscans, 1000 to 430 B. C.; *Aryan* Ombro-Latins, 430 B. C.; *Aryan* Kelts, 396 to 283 B. C.; *Aryan* Latins, 283 B. C.

SICILY. — *Mongoloid* Cyclopes; *Hamitic* Iberian Sicanes, 2000 B. C.; *Hamitic* Pelasgians; *Aryan* Siculi, eleventh to fifth century B. C.

GREECE. — *Mongoloid* Cyclopes; *Hamitic* Pelasgians, 2500 B. C.; *Aryan* Thracians, 2000 B. C.; *Hamitic* "Shepherds" and Phœnicians, 1700 to 1200 B. C.; *Aryan* Hellenes, fourteenth century B. C.

FRANCE. — *Mongoloid* Cyclopes; *Hamitic* Iberes, 2200 B. C.; *Aryan* Siculi, in south; *Aryan* Kelts, seventh to fourth century B. C.

GERMANY. — *Mongoloid* Cyclopes; *Aryan* Thracian Dacians; *Aryan* Kelts; *Aryan* Germans, 182 B. C.

MIDDLE and LOWER DANUBE. — *Mongoloid* Cyclopes; *Hamitic* Pelasgians; *Aryan* Kelts; *Aryan* Scyths; *Aryan* Slavs. *Mongoloid* Mongols, thirteenth century A. D.; *Mongoloid* Osmanlis, fourteenth century A. D.

BRITAIN, particularly ENGLAND. — *Mongoloid* Cyclopes; *Hamitic* Sicanes; *Aryan* Kelts, till first century A. D.; *Hamito-Aryan* Romans, till fifth century A. D.; *Aryan* Germans, fifth century; Scandinavians, ninth century; and Normans, eleventh century.

Bearing these facts in mind, let us next recall the testimony of archæology and palæontology. Relics of populations that dwelt upon the soil of Europe during periods before the dawn of European history, have been collected in great abundance. They consist of implements, and articles of use and ornament, formed of flint, stone, bone, reindeer's horn, wood, and bronze, together with many crania and other bones of the people themselves. They are found in caverns, rock-shelters, artificial grottoes, river drifts, glacial drift, beds of peat and loess, and sea-side kitchen-refuse heaps, in the bottoms of lakes over which dwellings had been erected on piles, and in tumuli and mounds. Over most parts of Europe, also, have been known from time

immemorial, huge rough, stone structures termed "megalithic," of which the well-known menhirs and dolmens are examples. These are pre-Druidical. Stone and flint weapons and implements have been found, also, in many portions of Asia, Africa, and North America; and everywhere they present similar patterns. They should be the product of some race that, like the Mongoloid, has had a remote and world-wide distribution. Attending to the indications of skill in the workmanship of these articles, it becomes manifest that they belong to peoples advanced to different grades of civilization. Attending to the circumstances under which they occur, it is apparent that the rudest implements are the oldest, and that there was a long period during which European populations had no knowledge of the metals, or of agriculture, or the loom, or house-construction. This period has been designated the Stone Age. That part of it during which only rough stone implements were made, is known as the Palæolithic Epoch, and that during which the stone implements were more finished and sometimes polished, as the Neolithic. Between these is often recognized a Reindeer Epoch. The Palæolithic people, as shown by the association of their remains with the bones of other animals, must have been contemporaries of many species now extinct. The most important of these were the mammoth, the cave-bear, the cave-lion, the cave-hyena, and the two-horned rhinoceros. So much for the indications of archæology.

Geologically, the later events occuring in Europe are believed to have been nearly as follows: The age immediately preceding the present is known as Quaternary, and the next preceding as Tertiary. The last period of the Tertiary was Pliocene, and the two preceding were Miocene and Eocene. European geography during the Pliocene was not very different from the present, but the climate was milder. An increase of cold brought this period to a close. Then followed, according to recent opinion, a succession of epochs having climates strongly in contrast with each other. Sometimes the cold was excessive, and the permanent snow-cap of the arctic extended into Europe. Sometimes the climate was temperate and remarkably equable, from southern France to Scandinavia. During the cold intervals the atmosphere was humid, and floods filled the rivers where the precipitation was not snowy. At other times the rivers were flooded by the melting of the vast accumulations of snow and

ice. Finally, there was an epoch of extreme cold, and glaciers extended to central Europe. After another interglacial epoch, a final, but less extensive, glaciation took place. Following this were again floods, and thence a gradual approach to the present condition of the continent. During all these vicissitudes man was present. Palæclithic man left traces of himself all over the continent and in Britain before the climax of the glacial period was reached. As the glaciers advanced he retreated south, and the reindeer accompanied him. As the glaciers, with change of climate, withdrew, the Palæolithic type of man did not, in western Europe, return northward. This is shown by the different character of the post-glacial implements. A different race of men had appeared, a superior race. They were men of the Neolithic epoch. Dawkins thinks they exterminated the Palæolithic people, but much more probably the two merged together. In fact, the commingling of the two types of implements, in certain situations, is evidence of this. While uplifted Britain was joined to the continent, Neolithic man found his way thither. Twice Britain was thus uplifted, and twice it sank, while prehistoric peoples held undisputed possession. Meantime, came the immigrants, bringing bronze, and cereals, and domestic animals; and still later, iron made its appearance.

When we examine the crania of the men, we arrive at notions somewhat more exact. MM. Quatrefages and Hamy have distinguished six different races. We must glance over their characteristics. From the oldest deposits, and associated with Palæolithic implements, comes the race of Cannstadt. They had dolichocephalic or thin heads, with massive superciliary ridges, robust build, and a stature of five feet six to five feet ten inches. Their implements and arms were very imperfect, made of stone, bone, or antlers, and they used some crude ornaments. They were exclusively roving hunters, and their only dwellings were caverns. Their remains have been found throughout western Europe, from Gibraltar to Sweden, and eastward to Italy and Bohemia. The existing cranial types most nearly approaching this are those of the Australians and Bushmans, but their dolichocephaly is equaled by that of the Mongoloid Eskimo. The Cannstadt race appears to have been merged with other populations. It is frequently met in the prehistoric dolmens, and in the cemeteries of the Middle Ages. Its blood mingles with that of other races in the modern Europeans, and the

cranial type is distinctly recognized in England, Scotland, Denmark, and Germany, and frequently belongs to men of highest intellect and force. A little later, chronologically, are found the relics of the race of Cro-Magnon. This was also dolichocephalic, but less so than the last. Its stature was about six feet. It was altogether a nobler and more cultured race. It manifested a peculiar and striking aptitude for art, and its implements underwent much improvement and diversification. It used the bow occasionally, and hunted small game as well as large. The horse was known, but perhaps not domesticated. There seem to have been orders of rank, and a rude government. The people believed in a future life, and appear to have practiced religious worship. This type of men spread all over Europe, and continued to exist through the whole Quaternary period. They were buried in some of the dolmens, in Neolithic sepulchers, and in the tombs of the Middle Ages. In the same valley of the Vézère where their relics are most abundant, the same type very frequently outcrops in living men. But it still exists, also, in other parts of Europe. It is common among the Kabyls of northern Africa, and was the exact type of the now extinct Guanches. Both of these are Hamitic. A modern race type somewhat conformable to this is that of the North American Indians.

These two races of cave-dwellers were contemporaries of the extinct mammoth and cave-bear. Another Palæolithic race of troglodytes, coöccupants with these, had skulls characteristically brachycephalic, or round. It was the race of Truchère. With a broad head, the face was narrow and very long. The cheek-bones were massive, and the jaws slightly prognathous. The race is not known to have been widely dispersed, but it survived the last great geological revolution, and, whether the Lapps and Finns be descended from it or not, they are cranially its nearest modern representatives.

In the late Quaternary, after the glacial crises had passed, and mammoth and rhinoceros no longer existed, three new races of cave-dwellers of small stature appeared suddenly and simultaneously in the country adjoining the North Sea. Two of these were the races of Furfooz, with heads mesocephalic, or inclining to brachycephalic; and the other the race of Grenelle, with heads distinctly brachycephalic. Their remains occur most abundantly in the valley of the Lesse in Belgium. They were a peaceful people, having no weapons but spears, using rude pottery and ornaments,

believers in the future life, and somewhat closely represented by the Finns described by Cæsar on the shores of the Baltic.

Later than the advent of these races appeared the Neolithic, with round heads and a style of civilization distinctly improved. They warred for a time with the long-heads descended from the early Quaternary, especially the Cro-Magnon people; but ultimately there was a fusion, and we find in the Neolithic dolmens a mixture of the two cranial types, with the superior Neolithic industries predominant. Thus, no ancient European race became wholly extinct. The principal races, at least, were merged *in situ* with the successive invading and superior races, and modern European populations are the outcome of this mixture. But, after the lapse of thousands of years, the fusions are incomplete, and the ancient types crop out atavistically everywhere. In portions of Sweden, England, Germany, and Poland, the round-heads seem to have been least numerous, and the long-heads developed a civilization of their own. These events belong to the Stone Age, and preceded the introduction of bronze.

Thus, in hasty outline, we have before us three classes of facts, each shedding some light on the mystery of European man during the prehistoric ages. Each group is intensely interesting in itself, and each has generally been studied by itself. But these different facts all bear on one history. There must be some mode of coördination among them, and our final conception of prehistoric, and even of historic, man in Europe will grow out of such coördination. It is too soon to expect a finality, but it can do no harm to offer a tentative. To begin where the light is clearest, there is scarcely a doubt that the advent of Indo-Europeans coincides with the beginning of the Bronze Age, and a knowledge of the cereals and of the domestic animals. This probably was somewhat later in the north than in the Mediterranean countries, where the Thracians in the east and the Ligurians in the west were present twenty centuries before our era. At the other extremity of the series, we feel equal certainty in identifying the Cyclopes of tradition with the Palæolithic cave-dwellers of archæology and the long-headed races of anthropology — the Neanderthal, Cro-Magnon, and Truchère. The remotest immigrants into the territory of the Cyclopes were Iberes. Our knowledge of their social condition entitles them to rank with the Neolithic people to whose mixed

craniography they supplied the mesocephalic element. We thus get a conception of a vast Hamitic empire existing in prehistoric, Neolithic times, whose several nationalities were centered in Mesopotamia, Canaan, Egypt, north-western Africa, Iberia, Greece, Italy, Sicily, Sardinia, and central Europe — an intelligent and powerful ethnic family, the first of the Adamites to emerge into historic light, but with the record of its achievements buried in a gloom almost as dense as that which covers the ruder population that the Hamites everywhere displaced. To this family, chiefly, are to be traced the dark complexions of the nations and tribes still dwelling around all the shores of the Mediterranean. This blood was mingled with that of the fair-complexioned Thracians and Hellenes, the flaxen-haired Scythians, Germans, and Kelts, and everywhere resulted in that distinction of light and dark haired populations and individuals which anthropologists have designated xanthochroic and melanochroic. Among the Kelts it was noticed by Cæsar, who found the dark-haired tribes predominant in the south, and the light-haired predominant in the north. Among the Germans and Irish it gives the dark-haired type in the midst of a light-haired race. From this Hamitic contamination the remote Scandinavians and Danes have most completely escaped. Through this mixture of Ibero-Pelasgian blood with diverse Aryan strains of Thraco-Hellenico-Scythico-Belgic blood — each with its minor infusions of Phœnician, Carthaginian, Ligurian, German, or Slavic — emerge frequently the characteristics of the long-headed men who dwelt in caverns and hunted the mammoth, while secular winter and northern glaciers were bringing devastation to Europe. Over all have supervened the influences of conquests and colonizations accomplished since the Christian Era. Clearly there does not exist in Europe a nation of tolerably pure ethnic character, nor do national boundaries mark the limits of such ethnic strains as remain discoverable. The figment of a German nationality or a French, in any ethnic sense, is as baseless as that of an Austrian, a British, or an American. The mixture is a conglomerate, not an alloy. Ethnic peculiarities are everywhere protrusive; they refuse to be obliterated, so long a time is required to develop or destroy those physical traits which mark a race or a species.

We may eliminate, finally, a chronological datum. If the Neolithic people of Europe can be identified with the Iberes,—

which, on historic evidence, may be fixed at an epoch three thousand to three thousand five hundred years before our era,—the prevalence of their predecessors, the Cyclopes or Palæolithic people, could not, with any strong presumption of truth, be located back of 4000 or 5000 B. C. We deduce a similar outcome from Schliemann's researches on the site of ancient Troy. The sack of the second city, or Homeric Troy, seems fixed at about 1200 B. C. The first city existed in the Stone Age, with the use of bronze just beginning. It was settled by Thracians from Europe, and therefore must date after 2000 B. C. This date, consequently, marks the close of the Neolithic Epoch in Asia Minor. But in Europe its close was delayed, for the terra-cotta whorls of Homeric Troy have been found not only in the Swiss lakes of the Bronze Age, but also in the Neolithic *terramares* of Italy, and even in the Grotto del Diavolo, whose antiquities are attributed to the Reindeer Epoch. Such indications tend to tone down certain current estimates of the antiquity of European man. But we remember that European man, even at the beginning, held a high ethnic position, and his advent must have dated many thousand years after the appearance of the lower races in other quarters of the world.

ALEXANDER WINCHELL.

THE EXCLUSION OF THE CHINESE.

THE Chinese bill established as the policy of the United States for a period of ten years the exclusion of Chinese laborers from our territory. But that bill was only a provisional disposition of the question. The permanent policy of the United States is yet to be determined. The present bill was undoubtedly a concession to the clamorous demands of California. Its enactment was secured through party and sectional combination, with a view to party and personal advantage, rather than through conviction. The wisdom and justice of exclusion, and its consistency with the object and spirit of our institutions, are still open questions.

The policy of the Chinese bill seemed illiberal to Eastern statesmen. It appeared to be contradictory of the principles of the Revolution and antagonistic to the spirit and subversive of the ends of our institutions; whereas, it is fully in conformity with them. The people of the Pacific coast perceive a national danger which has escaped the perception of the political philosophers of New England, and they now supplicate the assistance of the sentiment which antagonized slavery when it was sapping the manhood of the masses of America. They object to the influx of Chinese laborers because it is calculated to sweep from existence our great middle class, and to reduce the mass of our population to the condition of laborers destitute of property and excluded from the comforts, the refinements, and the means of intellectual and physical culture and of progress which our civilization affords, and because it threatens to overthrow our domestic institutions and the democratic condition of our society. The people of the Pacific coast do not intend a real departure from the policy of the founders of our Government. The fathers embraced the whole human race in their philanthropic sympathy. They adopted the policy that this country should be the "refuge of the oppressed" of all

nations, because in its ordinary operation that policy conduces to the welfare of the race, and because at the time it seemed the most direct and unequivocal means of benefiting our people and the race. But the reason for the policy ceases when its operation threatens the destruction of our democratic society and the dissolution of our republican institutions. It does this when it threatens the existence of our domestic institution, and the continuance of the normal industrial and economical condition of our society.

This Chinese labor element is calculated to produce, and has actually set on foot, a destructive social change. It is a change similar to that wrought by slavery. Slavery undoubtedly produced immense wealth both in the North and the South, but it was effecting a fatal change in the structure of society. It was working a division of society into three strongly marked classes: First, a class of white aristocrats, composed of the white land-owners and of the men of the professions and of literature; second, a class of black slaves; and, third, a class of miserable whites, who fell from the first class to sink to a level socially little above that of slavery. The aristocratic class was becoming narrower by the dropping out of bankrupt land-owners and by the consolidation of estates. The whites of modest property were becoming steadily impoverished by competition with their slave-owning neighbors. The white laborers were becoming more degraded, their condition more hopeless, and their numbers greater in proportion to the whole white population. They could get employment on such terms only as would make them as profitable to the planters as slaves. The tendency necessarily was toward a compensation which would enable them to maintain the same domestic establishments with the plantation hands, and enjoy the same scale of comforts. It was impossible for them, by labor and frugality, to accumulate wealth — to become thus independent, and to furnish their children with refining surroundings and with an education. In such a social state, poverty and ignorance were the lot of the major portion of the white population, or would soon be.

In 1880, an analogous condition of things seemed imminent in the West, owing to the presence of a considerable Chinese laboring population. The Chinese laborers in California number seventy thousand or over. They easily adapt themselves to work requiring no great capacity, and they flock to any

manual employment for which they are fitted, making the competition therein extreme. They are submissive laborers, but they are incompetent for positions where managing ability, good judgment, and energy are required. They come from the lowest stratum of Chinese society, and accept as the regular order of nature, poverty, submission to superiors, resignation to stint, and a mechanical pursuit of the vocations of their fathers. They are the only class of Chinese who are disposed, and who need, to come to America. The pressure of the dense population of China concentrating upon the class to which they belong, entailing stint and starvation, overcomes the conservatism of their race, the social disapproval of their society, their superstition, and their attachment to their country. Merchants who find enormous profits in supplying and guiding the labor of the immense body of laborers, and in ministering to their peculiar wants and passions, are the only representatives of the higher classes among them. They are almost exclusively employed in woolen mills, fish canneries, and sugar manufactories; they form a majority of the employés in sack and boot factories, and in fruit-canning establishments. With each year they acquire facility in some operation of industry peculiar to our society. That their serviceableness is due to imitativeness is evidenced by the wages in the woolen mills of California. In New England there are ten or more classes of operatives. Wages vary with each class, and range from $5.34 to $11.00 per week. In California, the Chinese operatives, constituting ninety per cent. of the workmen in such mills, receive a uniform compensation of $5.25 per week (see table, p. 263).

These male laborers bring no families with them. However long their stay, no individual of these thousands of laborers shows an inclination to acquire a wife and family. As general is the absence of any intention to acquire property, or of the faintest desire to become more than mere laborers upon this continent. The laborer intends to save a little fortune and then return to China; but the majority spend their earnings in opium and gambling, and die in America. These laborers congregate in "Chinatown" in the towns, and in the Chinese quarters on the plantations. Except in the cities, where they occupy sections abandoned by the whites, they house themselves in rough huts of five and six rooms. Such huts no respectable white family could occupy without a feeling of social degradation. They sleep in

bunks or in lofts, from six to twenty in a house, and cook over a furnace or broken stove. The cellars beneath are either opium dens or the quarters of the only women in Chinatown, the prostitutes who minister to the apathetic passions of this laboring population. In the city of San Francisco, the Chinese population of twenty thousand, with the exception of a few washermen, is crowded into less than twelve blocks. In these habitations they live; from these they go out to work. As a consequence, the cost of lodging is reduced to the utmost minimum—for the average Chinese laborer in California, not over half a dollar, certainly not over one dollar, a month. The dietetic habits of the Chinese are upon as low a plane. Mr. Seward, in an article in this REVIEW for June, 1882, states that they eat as "good" food as the whites. This may be true in our country in case the word "good" is used in the sense of wholesome; but it is absolutely erroneous if it is meant that their food, either in abundance or variety, is equal to that of white families. The ordinary diet of the vast body of Chinese laborers consists of tea and rice, and a few varieties of vegetables. In California, they consume very generally brandy and pork as ordinary food. With this diet they live luxuriously compared with the style of living enjoyed by the corresponding class in China. The common foods of America,—bread, butter, milk, sugar, and coffee,—without which the table of the meanest American laborer would be stinted; the dried fruit, the various meats and delicacies which add so much to the well-being and content of our laboring classes, never appear upon the tables in the Chinese quarters. The absence of these ordinary foods is no deprivation which moves the Chinese laborers to discontent; it does not prompt them to exercise self-denying thrift, or to seek to better their condition. Their diet and their mode of life are their deliberate preference. Their dress is scantier than that of the humblest white workman. The Chinese laborer endures such discomforts from the weather as would be intolerable to a white man; but centuries of penury have bred it into his nature to bear such discomfort without thought and without rebellion. It is safe to say that the average cost of food and shelter to the Chinese laborer in California is not more than $5.00 per month, and that this sum enables him to live in a satisfactory manner. The result of this standard of living has been that throughout the State, in all employments in which no other

qualities than those of strength, laboriousness, patience, docility, steadiness, and imitativeness are required, the Chinese have underbid white laborers, and have wholly or partially supplanted them. In those employments wages were uniformly lowered in 1880. It is true that wages are higher in most callings in California than in other States, but not much higher in proportion to the cost of living. Chinamen were readily obtained for $20.00 per month the year around, they to board themselves. It is rare that a white man is paid less than $20.00 a month, with board. Reasonable wages are $1.00 a day and board. As a consequence of the cheapness of the services of the Chinese, many of the river-bottom farms had, in 1880, and in many cases still have, their Chinese quarters of from two to half a dozen huts. In these dwelt a small community of Chinese, who did the ordinary work of the farm during all seasons of the year, and who bore the same relation to the industries of the farm which, before the Civil War, was borne by the inhabitants of the negro quarters to the industries of the plantations of the South.

The question arises, what is the significance of this substitution with regard to our industrial, social, and political future—what did this substitution mean? Had it continued, would it merely have caused certain fields of labor to be occupied by Chinese and others by whites, without working any effect upon the condition of the white laborer and upon his home life, and upon the distribution of wealth, comfort, and intelligence in our society? Here is a mass of male laborers. The individual intends an indefinite stay in California, limited only by the intention of returning home when he has accumulated a certain amount of money. Those who return are replaced immediately by others from the same class and bent upon the same errand. One-half of them, however, succumb to the fascination of gambling and opium. The superstition of the Chinaman requires that he shall not make a permanent home in California. That alone would have restrained the laborer from binding himself to the soil of this continent by a family; and that alone would have operated as an effectual barrier for a century to come to the introduction of the institution of the family into this population of 70,000 laborers. From 1870 to 1880, these laborers were entering San Francisco at the rate of from 1000 to 2000 per month. The price of unskilled labor in the provinces of

China is from $3.00 to $4.00 per month, or at the rate from ten to thirteen cents per day. It is safe to say that in le than ten years Chinese laborers would have to come to Americ readily for the prospect of getting constant employment even $10.00 per month, without board, double or triple th wages obtainable in their own land. Especially would this hav been the case when the cost of passage amounted only to th possible savings of a few months. Within that time China coul and would have furnished us with from one to three hundre thousand male laborers annually.

It remains to be considered what would be the consequenc of the influx of a population of laborers, content to remain mer laborers, unencumbered by families, satisfied with the mode o life described, and willing to work for wages lower than an known to our civilization, at least in England and Americ Would it tend to elevate humanity, sustain our civilization, an strengthen the foundations of our institutions? In the solution of these questions is to be found the fundamental and decisive objection to the influx of this laboring class.

This influx would certainly tend to a great and rapid massing of wealth on the Pacific sea-board for a generation or century, at least. Transportation made extremely speedy and cheap, ob- structive legislation avoided, demonstrations of popular dislike among the working people prevented, the influx would increase indefinitely to meet any possible industrial development. Cali- fornia would take front rank among manufacturing countries. Chinese laborers now form ninety per cent., at least, of the laborers in the few woolen mills she possesses. That fact alone demonstrates the especial fitness and serviceableness of Chinese as the ordinary operatives in manufactories. Manufactures would multiply. Labor abundant, wages approximating near to $10.00 per month and operatives submissive, never given to strikes, with few personal aims and ambitions to distract them and to make them independent, the manufacturing establishments of California would underbid the world.

This would be the first and the conspicuous result of the unlimited influx of the Chinese. But, correlatively with this material development, social change would be in progress; a change roughly stated as consisting in the gradual differentia- tion of classes, attended by the exaltation of one part of society and the hopeless degradation of the other and the greater part.

t would consist of the division of society into a class of wealthy wners of land and manufactories with the professional classes hey would sustain, on the one hand; and on the other, side by ide with the class of Chinese laborers, a class of wretched whites loomed to labor for a pittance sufficient to sustain them and heir families in the style of their competitors only, or, in other vords, in helpless and galling destitution. The process of this hange, if allowed to continue, would necessarily be complex. It would appear, however, in two well-defined successive stages. The first stage would be fourfold in its processes. It would consist, first, in the substitution of this laboring class for our own white labor, in existing fields of industry, in whatever employments required only physical exertion and a low grade of skill; second, in the occupation by these laborers of new labor fields opened by the white business classes of California, to the exclusion of the Eastern and European immigrant; third, in dragging down the white laborers who remained in California and also remained manual laborers, to a level, in their standard of living, with the standard of living uniformly adopted by this class; and, fourth, in pushing up the multitude of whites who retained property to the position of a class elevated immeasurably above the class of laborers.

This first stage, with its fourfold processes, had fairly commenced in 1880. In California, the wages of Chinese workmen were less by from ten to forty per cent. than the wages of whites engaged in the same grade of labor. Where they proved serviceable they were employed, and when once employed they were uniformly retained. Were it a cigar manufactory into which they were introduced, they were never replaced by whites, because in case hard times made it possible to obtain whites at then existing Chinese rates, or on terms that warranted the change, Chinese laborers could always be got at lower rates.

Furthermore, as industries were developed, the new labor fields were being filled more and more generally by Chinese laborers. The white laborers supplanted in the fields of labor successively occupied by the Chinese, were either leaving the State, or were ascending to the ranks of small land and property holders, there to enjoy the advantage of the cheap labor in developing their lands and modest manufactures; or they found other occupations. These classes left their places to be filled, not by the immigrants of their own race, nor yet by their children, but by this Chinese

population of male laborers. Of this fact the census of 1870 furnishes evidence. The following table gives the percentage of Chinese in the principal fields of manual labor in that year in California: *

	Per cent.
Employés in Cotton and woolen mills	$52\frac{5}{10}$
Fishermen	$27\frac{8}{10}$
Miners	25
Agricultural laborers	10
Nursery-men, gardeners, etc	25
Domestic servants	28
Laborers	$20\frac{7}{10}$
Laundrymen	$71\frac{7}{10}$
Traders, dealers	$7\frac{6}{10}$
Hucksters	$17\frac{1}{10}$
Railroad employés	$22\frac{8}{10}$
Employés in boot and shoe manufactories	$15\frac{6}{10}$
Employés in cigar and tobacco factories	$89\frac{6}{10}$

From 1870 to 1880, the number of Chinese in various callings increased, but of the extent the census of 1880 furnishes us no information. That census, as far as published, gives the numbers of those in the various callings born in Great Britain, Ireland, Germany, Scandinavia, and British America, but classes persons of all other nationalities together. As persons of other nationalities constitute nearly one-third of the persons of this class, the figures are of little service for this inquiry. However, the census shows that in the manufactories of boots and shoes, forty-seven and nine-tenths of the employés come under the last class. Those are known to be mainly Chinese. In the comparatively undeveloped stage of the industries of California in the year 1870, or not more than ten years after the establishment of extensive manufacturing and agricultural industries upon the Pacific coast, it could not be expected that many fields should be exclusively occupied by Chinese laborers. While the industries were still in process of development,

* The figures of the census include in the case of manufactures all engaged in them, whether in the capacity of employers, overseers, clerical employés, or employés in the engine-room and yards, as well as the mere manual operatives. As Chinese are employed in the capacity of manual operatives only, it is clear, therefore, that they made in 1870 a far larger proportion of such operatives than appears on the face of the census. Hence my statements in parts of this article that Chinese form a majority of employés in certain employments is not inconsistent with the census of 1870. It is based on personal observation.

services were required which could be rendered by white laborers only; but the fact that already in cigar-making and in woolen manufactories the operatives (manual laborers) were almost exclusively Chinese, indicates the tendency in these industries of California at that time, while they were still in their inchoatic stage.

Meanwhile, those of the laboring population who could not emigrate in consequence of insufficient means, or who did not emigrate in consequence of inertia, and who remained common laborers, found themselves in competition with a class of laborers outnumbering them, and a class who could and who did inevitably underbid them. They found the average rate of wages diminishing steadily, and for California, compared to the cost of living, abnormally. The major part of the increase of the whites found new fields for their activity in developing new industries and new mining regions; or in employments where the new country demanded a more active, hardy, and energetic class of laborers than the Chinese. But into these new fields the Chinese constantly followed the whites. When these fields were conquered, competition by the Chinese commenced, and the whites were compelled to ascend to the higher ranks, to move away, or, as yet in the minority of cases, to sink to the level of the Chinese in the wages received and in the standard of domestic establishments maintained. Had the immigration of Chinese continued, as the expansion of industries became less rapid and the population more dense, the competition of the laboring classes for work would have forced wages down with reference, not to the cost of living to the white man with his family, but to the cost of living to the Chinaman unincumbered with a family. It is a law of political economy that wages will fall until the demand for labor equals the supply. In case the supply of labor in California should have increased beyond the needs of the existing industry, wages would have declined through competition. But the Chinese would have inevitably obtained employment. They would have diminished their demands until work was given them, and the superior cheapness of their services would have inevitably secured them whatever employment the industries of the State could have afforded. The white laborer, if he still clung to his family, would have been compelled to sink to brutal destitution and to the misery and degradation of ignominious and irredeemable poverty.

The first stage in the social metamorphosis would have been accomplished. An impassable barrier would have been introduced between the manual laborers among the whites and that portion of the white population still in possession of property. On the one side would be the various grades of the property-owning whites, from the man with his modest homestead to the manufacturer with his millions; on the other, the white laborers reduced to the lowest stage of destitution. Side by side with the white laborers would be the swarming multitude of Chinese, keeping wages down to the level they had reached.

Now, however, the second stage in the process would set in. This stage would be characterized by the relegation of property-holding whites gradually, but inexorably, to the class of property-less laborers, a corresponding narrowing of the property-holding and affluent classes, and the correlative augmentation of the magnitude of the fortunes of those individuals and families who retained their foothold in those higher classes. The vicissitudes of fortune would steadily lessen the numbers of the property-holding classes. Those who lost their wealth through misfortune, mismanagement, or extravagance, would sink to the class of laborers. If they managed to maintain a precarious foothold upon the higher social level by force of the old connections, sympathies, and habits, their children would inevitably fall to the lower level, there to remain in hopeless and miserable poverty. Coincident with this cause, another would be in operation to the same end. As generation after generation passed, the smaller property-owners would succumb to the competition of those who wielded larger wealth. Small capital cannot compete in any field of industry with large. With this precipitation of individuals and families to indigence, the fortunes of the narrowing class of the wealthy would increase in absolute magnitude. Possessing exclusively the land and the materials to which labor is applied in the creation of wealth, and enjoying unlimited efficient labor of the cheapest character, their wealth would steadily augment. Wages leaving no margin for accumulation, the avenues to property through industry and thrift that now steadily renew the fortunes of the multitudes of citizens who meet with reverses, would be closed. Thus the class of property-holders could not receive recruits from the property-less laboring classes. Even were small sums accumulated by almost incredible self-denial, there would be little, if any,

opportunity for investment. As for real estate, the first field of investment, land would be owned in large tracts by wealthy classes, who, enjoying the fruits of an extremely cheap labor, would feel no such pressure as would cause them to sell their lands, least of all in small parcels, and to plebeian purchasers. Industries, the second field of investment, would be conducted on such a gigantic scale, that the little capitalist could not successfully enter the field of competition. The third field of investment, consisting of the various little trades and callings to which small capital alone is applicable, trades and callings that are requisite to supply the manifold wants of a prosperous laboring and middle class, would be unavailable in consequence of the destruction of the middle classes and the impoverishment of the laboring classes. The middle classes would not exist, while the masses would supply their simplest physical wants only. They would not have the means or the incomes to pay for those satisfactions and to indulge those desires to which the multitude of these little business enterprises peculiar to our industrial society minister. The fall from the property-holding to the propertyless class would be terribly precipitate. Mistakes or misfortunes would be irreparable. The millions of our citizens of little property, citizens possessing homesteads or little fortunes, men who had commenced with their hands alone for capital, would cease to exist as such. They would either pass up by increased prosperity to the higher classes, or sink down, through mistakes, misfortune, or competition, to the propertyless and hence the laboring classes. But of this latter class none would rise to replenish the middle class. Thus, the present great middle class would disappear. Society would consist of a single unbroken rank of aristocratic wealth with the professions, and a common unbroken level of laborers, toilers, and bondsmen in reality. The former class would become smaller in proportion to the whole population, but yet it would become richer and more powerful in its hold upon the regular means of political influence. The latter class would form a majority, and a constantly increasing majority.

This social change, which can now be foreseen as possible upon the Pacific coast, is the natural result of the operation of certain social and economical causes. Were such change to result from the unrestricted immigration of these male laborers to our coast, is it not true that our race would have been dragged down, while

the Chinese would not have been elevated? The happy condition of our middle class would have been destroyed. The multitude of small property-holders, who are conservative in consequence of their property, and who preponderate in our society, would have been deprived of their possessions. The mass of our population would have been depressed to destitution. Hard and incessant labor, securing but a bare subsistence, would be their ignominious lot. Even were the only result the reduction of our population of mere manual laborers, consisting of the operatives in the various manufactories and the hands in the harvest fields, to such a level of wages and to such a grade of living, the result would be calamitous. These manual laborers, as society grows denser, must form an immense class in our society. They must in time number one-quarter or more of our population. If the males are to receive for their labor wages approximating to those acceptable to Chinese males, namely, $10.00 or $15.00 a month without board, the condition of the laboring classes of America must become, at least, one of comparative degradation.

It might be that the obverse side of our civilization would be exceedingly brilliant. The class of enormous affluence, possessing ample leisure and enjoying an unstinted use of the multitudinous instruments and sources of culture with which our civilization is equipped, might develop a most exquisite and powerful literature and art. When Roman literature began to produce its masterpieces, its master-workmen were exclusively from among the aristocracy. Their means furnished the leisure and opportunities for the pursuit of literature. The wealth of the republic had long centered in the aristocratic land-holders mainly by force of competition of cheap labor in the form of slave labor. Its artistic and literary career was brilliant, and the fond memories of mankind center around that brilliant passage in human history. Yet on the reverse side of the civilization of the Roman Republic and Empire, the degradation and failure of humanity was found more disheartening by reason of the contrast. In the Augustan age, one-half of the population of the Roman world, according to Gibbon, were slaves. Of the free population, the multitude forming the rabble of the imperial city and the peasantry of the provinces were propertyless. They were in a state of hopeless poverty and of irredeemable ignorance. They formed a majority of the freemen or non-slaves of the republic and afterward of the empire, but of their number

we have no definite record. Latin civilization doomed them to poverty and to degradation, and was itself doomed to inevitable decay. When the members of the aristocratic class became corrupt and enervated through indulgence, no new element took their places. Neither the slave population nor the degraded, propertyless rabble could furnish vigorous recruits.

It may be objected that the mischief produced by this abnormal immigration could not be coextensive with our national territory; that, at most, it must be confined to a single State or section. But, west of the Rocky Mountains, the process could be completed with ease and celerity. Let the change, with its gigantic industries and with all the enterprise and aggressiveness of such wealth, be established in that great territory, equal in area to Western Europe, and the course of social change would soon pass the natural barriers established by those ribs of our continent, the Rocky Mountains. In the South, Chinese laborers would be introduced gradually through the great southern transcontinental railroad lines. It is safe to say that Chinese laborers, who have proved so efficient in the climate of California, would, in the cotton fields of the South, prove three times as efficient as the unstable and comparatively unindustrious negro. They would, without doubt, stand the climate with equal ease, and would prove swift and steady workers. They would be constant in their work, and submissive to their overseers and employers. The old negro quarters would be reproduced upon the plantations of the South in all their essential features. Quarters would again be established upon those plantations as the habitations of a class of laborers incapable of becoming property-owners in this case in consequence of their apathy, indifference, and want of energy. With abundance of such labor, what fortunes might not be made upon the cotton and sugar plantations of Mississippi and Alabama.

The same process of the abandonment of labor to a swarming class, which attended slavery in the South, would take place in the new South. Wealth would augment immensely, but it would remain in the hands of the planters and manufacturers. The white laborers of the South would find themselves dragged down to the level of the Chinese, for wages would furnish no margin by which they might ascend to property, position, and culture. The negroes would find their feeble efforts at

improvement futile, and the progress toward stronger manhood, upon which that race had entered, would cease. Substantially the same state of society that existed under slavery might, and in all probability would, be renewed in the South.

In manufacturing New England, this immigration would have a ruinous effect upon her democratic society. Chinese laborers would supplant white employés in her factories. Witness the fact, that in California, in 1870, $52\frac{5}{10}$ per cent. of the woolen and cotton mill operatives were Chinese. They would be, without doubt, employed for less wages than are given at present to the operatives of New England. Witness the fact that in California, where the cost of living is at least twenty-five per cent. greater than in Massachusetts, the operatives in the woolen mills receive at the present day less in every capacity than do the operatives in the mills of New England.* The white laboring population would be uniformly reduced to comparative destitution. At the same time, the wealth of the property-owning classes would augment in consequence of the greater profitableness of their capital through extremely cheap labor. Labor, attended by perseverance and thrift, would cease to be a means to little homesteads, and would cease to be the highway for the transition of multitudes of men from the wage-earning classes to the ranks of the property-owning and affluent classes.

Were this process of the substitution of cheap labor to continue quietly until wide-spread and powerful interests, depending

* From the report by Edward Younge, Chief of the United States Bureau of Statistics, for 1875, upon labor in Europe and America, I take the following figures in regard to the wages paid operatives in woolen mills in the various capacities in California and Massachusetts respectively. In California, all the operatives, except overseers and the men in the engine-rooms, were Chinese:

	Cal.	*Mass.*		*Cal.*	*Mass.*
Wool-sorters	$5.25	$10.91	Burlers	$5.25	$5.34
Wool-washers	5.25	11.00	Overseers	24.00	18.12
Wool-dyers	5.25	11.08	Fullers	5.25	9.84
Overseers	18.00	18.61	Dressers	5.25	8.04
CARDING AND SPINNING.			Finishers	5.25	8.28
Pickers	5.25	7.81	Press-tenders	5.25	8.26
Carders	5.25	6.01	Drawers	5.25	8.72
Spinners	6.00	9.45	Brushers	5.25	6.69
Washers	7.25	9.47	Packers	5.25	11.50
Reelers	5.25	5.69	Overseers	21.00	18.05
Overseers	18.00	17.57	Mechanics	16.00	....
WEAVING.			Foremen	24.00	12.75
Weavers	5.25	8.07	Engineers	18.00	13.24

upon the presence of this labor for their prosperity, should become influential enough to move the Government to protect this influx, and, under the form and pretense of law, to suppress popular protests against it, would it not be possible for a complete change in the constitution of our society to be established in the course of a couple of centuries? Had the immigration continued, the introduction of this labor into the South was extremely probable; and its introduction into the East was not improbable. The white planters of the South had long been greatly dissatisfied with the negro laborers; especially when the negroes were leaving in great numbers for the new Western States was the discontent extreme. At that time it was proposed to introduce Chinese laborers upon a large scale; and the tide of Mongol immigration would have been turned in that direction had it not been for the policy of exclusion adopted in 1880. Once introduced into the South, and, after a few years, in Louisiana alone a hundred thousand of these Chinese males would have been seen working in the fields as serviceable and tractable laborers, in place of negroes.

Were this social change to be consummated, its ultimate effect would be to wreck our institutions. Were society divided into an opulent class on the one hand, and, upon the other hand, a class of propertyless laborers, consisting in part of the Chinese, but comprising also the major portion of the white population, our institutions would have to undergo rapid change. Among the degraded white laborers, communism would find efficient instruments. Popular tumults would threaten to overturn society. Unchecked, they would tend to the demolition of existing social and political creations, to the destruction of existing vested rights of property, and to anarchy. The instinct of self-preservation would drive the wealthy classes to change the character of our Government, and to make it, with its judiciary and military establishment, the instrument for the maintenance of their fortunes and class position against the majority of the population. The protection of property, the preservation of the only vested rights in society, would be held a holy and just cause by the sentiment of the influential, the cultured, and the intelligent classes. It would be their rights which were threatened, and their sentiments would conform to their interests. A radical alteration of our existing system of popular rule would inevitably follow as the only means of preserving its material interests, its culture, its learning,

and of preventing the rule of ignorance, passion, and communism, and hence the reign of anarchy and of universal spoliation.

It is not, however, necessary to show that any such social change would be worked over our whole national territory. It is sufficient to show that the presence of the Chinese laborers tends to produce this change in all labor fields in which they establish themselves. It follows, then, as a consequence, that the immigration in its present character does not improve the condition of the Chinese, while it ruinously affects the welfare of our laboring and middle classes. As the magnitude of the Chinese population increases, just in that proportion does it degrade the condition of our laborers, and just in that proportion does it tend to eliminate the middle classes of moderate means from our society, and to augment the fortunes of a limited and constantly narrowing class. These changes, were they continued, would be productive in future of popular distress, and of popular disturbances more terrible than any yet experienced in our country. In California, laborers who are subject to the direct competition of the Chinamen are about equal in number to the Chinese laborers in that State — 70,000. The Kearney agitation had a real moving cause in the hardship this competition had produced among the laboring classes in the year 1880. Aside from the causes of distress to be found in the improvidence of laborers, an abnormal depression of wages had in fact occurred. The Chinese had, as a matter of fact, depressed wages and made employment to some extent abnormally scarce at that time. Comparative destitution prevailed among the laboring classes, unexampled in California. The result was this agitation. Its consequences have been seen in intemperate attacks upon great interests in California. This is but a foretaste of the terrible commotions that would disturb our country were the Chinese influx to continue.

When the presence of these laborers is calculated to work such evil to our working and middle classes, and to so menace our institutions without permanent benefit to themselves, it is clear that the American policy does not require their admission on the ground that this great country is the asylum of the oppressed of all nations. That policy contemplates the improvement of the condition of the immigrant. In this case, that condition is not improved. It contemplates the elevation of the moral, mental, and physical condition of ordinary humanity.

This immigration defeats that end. That policy assumes, also, that such immigrants as are admitted will not tend to destroy the democratic constitution of society and the honorable, independent, and happy condition of our laboring and middle classes, who form the bulk of our nation and give strength to our institutions. This immigration threatens to destroy the democratic constitution of our society, to diminish, if not to obliterate, the middle class, and to hopelessly degrade the laboring class. The policy of exclusion in this light is not a narrow and illiberal policy. It is a policy of self-preservation, which looks not only to our own welfare, but to the continued existence of our helpfulness as a people to other people.

If, now, the object of our national policy is to secure the accumulation of great wealth in our country, regardless of the effect upon the condition of the mass of men, and regardless of the resulting distribution of wealth, then the only great desideratum is cheap labor under any circumstances, and the Chinese ought to be admitted. If it is better to have a slower development of wealth, but therewith a development of the welfare and intelligence of the masses, the laborers, and small property-holders, then this cry of cheap labor cannot be too severely condemned. It is hardly necessary to add that the reasons for the exclusion of the Chinese do not operate in the case of immigrants from Europe. Whether those immigrants come from England, Ireland, or Germany, they come with their families, and are as anxious to raise their standard of living and to acquire property as is our own native population. They do not tend to drag down our laboring population to a condition of comparative destitution and of hopeless and irredeemable poverty.

It is especially incumbent upon capital in the United States to discourage every influence which tends to depress wages abnormally, and thus to make laborers throughout the country uniformly propertyless and poverty-stricken; which tends to diminish the numbers of our middle class of modest fortunes by preventing accession to it from the ranks of mere laborers. Everywhere in the West, attacks have been made upon accumulated wealth, especially when invested in the form of railroads. These attacks have been comparatively harmless because of the protection afforded by our national constitution and our national judicial system. But the national constitution and

judicial system were efficient for the purpose of protection, because the great majority of the population had property rights whose security depended upon the integrity of our national constitution and judicial system only. Make that majority propertyless, make them suffer permanent destitution, and opinion among that majority would soon require governmental action amounting to the confiscation of wealth. Universal suffrage would secure such governmental action. The restraint of our national constitution would be opposed to the interests, desires, and sentiments of the majority of our population. That majority composed of all the ignorance and passion of society, and embittered by destitution, would not listen to any reasons urged to restrain them. The constitution would have to yield, and virtual revolution would be accomplished.

JOHN H. DURST.

EVILS OF THE TARIFF SYSTEM.

THERE is no one subject in respect to which all thoughtful men are at present more anxious and perplexed than the extraordinary and prolonged industrial and financial depression and disturbance of the country, and the outlook for what is to be in the future. It is proposed, in the limited space here allowed, to ask the consideration mainly of a single point, namely, the connection between what has happened and is likely to happen, and our existing tariff policy; or the extent to which speedy and radical, but at the same time judicious, tariff reforms are essential to continued national prosperity and national development.

To the head of one of the largest manufacturing establishments (not textile) in the country, who was recently complaining of business depression, no profits, and an apparent necessity for a speedy suspension of his operations (which last has since occurred), the following question put by the writer, "When do you expect better times?" promptly elicited the following reply: "Not until I can sell at a reasonable profit what I have the capacity and the desire to manufacture. In default of this, I cannot expect to earn interest on my investments (on buildings or machinery) or give employment to my operatives." Here, then, we have the present condition of industrial affairs, and the proximate remedy for most of what is at present industrially unsatisfactory, simply outlined by an intelligent man, who, at the time of speaking, was not thinking of the tariff, and who afterward expressed himself as in opposition to free trade. In other words, the country has more commodities — agricultural and manufactured — of its own production than can be sold in existing available markets at a profit, or even at cost; and it has more capacity for producing them than can be kept steadily employed under existing circumstances.

To illustrate and demonstrate these assertions more specifically, let us consider first the condition of agriculture.

During the decade from 1870 to 1880, our population increased in a ratio of a little less than 30 per cent. During the same period our exports of agricultural commodities, which are a measure of our surplus production, increased as follows: Cereals, 214 per cent.; hog products, 1138 per cent.; beef, 433 per cent.; live cattle, 690 per cent.; dairy products, 182 per cent.; cotton, 96 per cent. And yet, great as is this surplus product, the whole tendency of things is to increase it still further. Thousands of acres of new grain lands are being annually added to our area of cultivation; improved methods of culture, increasing product and diminishing the necessity for manual labor, are being continually introduced; while less than one-sixth of our arable land has yet been brought under the plow. How is this surplus to be disposed of, as it must be, at a reasonable profit, in order to ensure reasonable prosperity to the great agricultural interest and to all the other interests — especially that of railroad transportation — which are collateral or dependent on it? A popular answer is, by enlarging the field of our other industries, especially that of manufacturing, through the fostering aid of Government and the protective system. "If we cannot go into the markets of the world," said Judge Foraker, one of the candidates last year for Governor of Ohio, "without being subjected to degrading competition, we will make ourselves independent of these markets by making markets of our own. Instead of sending our raw cotton across the ocean, to be there manufactured and sent back to us, we will have cotton-mills here. We will mine our own coal, develop our own minerals, manufacture our own iron and steel, build our own railroads with our own products, and thus have home markets and domestic commerce." But if the sphere of our manufacturing industries could be at once enlarged to an extent sufficient, as proposed, to furnish a market for all our surplus agricultural products, the problem confronting us would not be solved, but only changed by substituting "manufacturing" in place of "agricultural" surplus. The following data, furthermore, will afford some conception of the extent to which domestic manufacturing industry furnishes a present home market to the American agriculturist for his surplus, and of the enlargement of such industry that must be brought about in order to provide for his present entire surplus,— wheat being taken as the standard of cereal consump-

tion. The wheat crop of 1880 was, in round numbers, five hundred million (498,000,000) bushels; of which aggregate 312,000,000 were retained for home consumption (food, seed, and reserve), and 186,000,000 sent to foreign countries for a market. The great manufacturing States of the Union are the six New England States, with New York, New Jersey, Pennsylvania, Delaware, and Maryland. But these same States are also largely agricultural; and during 1880 they so far fed their own population with their own agricultural products as to require (on the assumption of an average consumption of five bushels of wheat per capita) only 34,585,667 bushels, out of the entire home consumption of 312,000,000 bushels, to make up any deficiency in respect to this staple.* To furnish a domestic market adequate to absorb the probable wheat surplus of the present year would therefore require an enlargement of our manufacturing enterprises to at least fivefold what they are at present. The idea of any such immediate enlargement being chimerical, it remains to consider the promise of the future; and here experience, the only guide for forming an opinion of what is to be, if the present fiscal policy of the country is to be continued, is most instructive and also most conclusive.

It is clear that there is no need whatever, at present, for any more furnaces or factories to supply any domestic or home demand; and that, if even the existing furnaces and factories are to be kept fully employed, and any construction of new ones entered upon, a larger market, or a market outside of the country, must in some way be obtained. Our exports at present are mainly agricultural; and although we boast of exporting some cotton goods to England, and some machinery and railroad equipments to Mexico and Australia, the aggregate of all such exports constitutes but an insignificant item of the foreign trade of the United States. In fact, our manufacturing industries, so far as their occupation of foreign markets is concerned, hold almost exactly the same position that they did twenty-three years ago. Thus in 1859–60 manufactured products constituted 17.7 per

* For 1880, Massachusetts produced 15,768 bushels of wheat, and consumed, over and above her product, 8,899,657; while Pennsylvania, consuming 19,462,405 bushels, required to purchase outside her own territory but 1,952,052 bushels. New York, with an annual consumption of 25,414,000 bushels, had a home supply of 11,587,766 bushels, and a deficiency, to be supplied outside her territory, of 13,826,589 bushels.

cent. of the total value of our exports of domestic merchandise. In 1869–70 this ratio was 13.4 per cent., while in 1879–80 it had further declined to 12.5 per cent. For 1882–3 the ratio was returned at 13.9 per cent., constituting a total of $111,890,000 out of an aggregate valuation of all exports of $804,223,000.

From this analysis of the situation, the following deductions would seem to be almost in the nature of axioms. First, there is no sufficient market for our surplus agricultural products except a foreign market, and in default of this, such surplus will either not be raised, or, if raised, will rot on the ground. And if any further evidence of national dependence upon these foreign markets for continued prosperity is needed, it is to be found in the circumstance that the partial interference of only two of the states of Europe with the imports into their territories of only one of our great agricultural products, pork, has been sufficient to alarm every interest of the great West, and excite a feeling of grievance sufficiently serious to occasion talk about national commercial retaliation. Second, the domestic demand for the products of our existing furnaces and factories is very far short of the capacity of such furnaces and factories to supply; and until larger and more extended markets are obtainable, domestic competition, while not preventing large sales (for a nation of fifty-six millions requires a large amount of commodities) will, nevertheless, inevitably continue as now to reduce profits to a minimum and greatly restrict the extension of the so-called manufacturing industries. Third, with restricted opportunities for labor and the profitable employment of capital, the continued addition to our population from natural increase or immigration will inevitably tend, through increased competition, to reduce the wages of labor, and promote social discontent and antagonisms between employers and employés.

The main cause, therefore, in the opinion of the writer, of our present industrial depression and business stagnation is our existing tariff and national commercial policy, which restricts our opportunity to sell or exchange what we have the capacity and desire to produce, by unnaturally increasing, through excessive taxation, the cost of all production, and by intentionally obstructing commerce with other countries. The existing tariff, it will not be denied, is a great restriction on imports. But it is impossible to place restrictions upon the imports of a country without at the same time limiting the markets for its

exports; for all trade and commerce, in the practical business of life, is the interchange of products and services, and there can be no buying without selling, or selling without buying.

Other causes have undoubtedly come in and contributed to the present unsatisfactory condition of affairs; but they are all subordinate and insignificant in comparison with the influence of the existing tariff. Excessive and unprofitable investments in railroad construction are frequently specified as one such disturbing agency, through consequent wide-spread losses and the transfer of capital from an active to a fixed and unavailable condition. But in our case, whatever has happened has as yet occasioned no scarcity of capital for every fairly promising investment; and although holders of railway securities may have suffered losses, the railroads of the United States, through unprecedented reductions in freights, have never been such serviceable factors in the work of domestic production and exchange as at present. The national policy in regard to the coinage of silver is also regarded by many as a primary cause of business embarrassment and lack of confidence. But apart from apprehensions of what may be (and it is not to be denied that the effects of such apprehensions are serious), the evils of silver are as yet mainly prospective; and to spend time in discussing how the instrumentalities of trade shall be improved, when the main trouble is lack of trade to employ such instrumentalities as we already have, seems as rational as for farmers to discuss what sort of plows they will use, when it is land to plow and not something to plow with that they most need.

To some, doubtless, the circumstance that a complaint of unprofitable industry and excessive competition in business is general at present in all commercial countries, may seem to constitute proof that the reference of the existing condition of affairs in the United States to our national fiscal policy is wholly unwarranted. But in reply it may be said that while undoubtedly there is an abnormal condition of business all over the world, and apparently a greater production of most commodities than are required to meet any current demand, the coincident commercial disturbances have been least in the countries that enjoy the freest commercial policy, as England, Belgium, and Switzerland, and greatest in those that have by legislation unnaturally stimulated production on the one hand and restricted markets on the other, as has been the case in the United States, France,

and Germany. The reaction of the excessive prosperity of 1881–2, which has convulsed the whole financial and industrial system of the United States, has in England occasioned but a ripple in comparison. Her mills are not idle; her workmen, as a general thing, have had steady employment, at steadily advancing wages; and the demand and consumption of all those commodities which most conduce to the good subsistence and comfort of a people were never so great in Great Britain as at present. The exports of British coal and British manufactures have, furthermore, continued to increase steadily in value every year since 1878, and for the month of May, 1884, were 11.6 per cent. greater than for the corresponding month of 1883, while the import of similar competing products into the country has not at the same time increased. While failures in the United States for the first six months of 1884 have been abnormally great, the number in Great Britain for the same period was only 2368, as compared with 6662 for the first six months of 1880. Besides, it is now very generally recognized that the business disturbances that have prevailed the world over during recent years, are due mainly to a process of re-adjustment to the new conditions consequent on the wonderful changes that, through invention and discovery, have recently taken place in the world's methods of doing its work of production and distribution; and that out of this re-adjustment, which is still going on and is very far from complete, the "law of the survival of the fittest" will assert itself as fully as it has been proved to do in the organic world. And it would not seem to require any argument to satisfy us that in this struggle, those nations that, having the greatest natural resources, most completely emancipate themselves from all restrictions on the free and intelligent employment of such resources, will prove themselves to be the fittest. But with such impedimenta as our existing fiscal and commercial policy now hang around the neck and clog the feet of our domestic industries, what chance has the United States for proving itself the fittest in this race for "international, commercial, and industrial supremacy"?

There is another point which, in connection with this subject, has thus far been almost entirely overlooked, but is eminently worthy of attention, more especially by all that portion of our community that has of late experienced enormous losses through unprofitable railroad investments. During 1882, there were over

11,500 miles of railway built in the United States. It matters not how many dollars the securities issued on this construction may nominally represent, this eleven thousand five hundred miles of railway added in 1882 to our mechanism of distribution, at the moderate estimate of $20,000 a mile, really represents $230,000,000 worth of actual food, fuel, clothing, shelter, iron, lumber, and other forms of wealth created by men's labor, converted into this form of capital. As thus generally stated, these figures convey but a faint idea of their magnitude; but some conception of their greatness may be obtained by comparison. Thus, to illustrate, $230,000,000 is greater than the whole amount of capital invested in all the cotton-mills of the United States; greater than in all our woolen-mills; and equal to all the capital in all the iron-furnaces, forges, rolling-mills, and steel-works of the country. If applied to the construction of dwellings, it would suffice to supply a house worth one thousand dollars to two hundred and thirty thousand families. It is equal to the present valuation of all the buildings in the city of Boston, and is greater than the taxable value of all the property of several of the States. Twenty-five million dollars, invested annually, will suffice to supply all the additional cotton-mills, woolen-factories, iron-furnaces, and rolling-mills required to meet the demands of any annual increment of our population; while from six to ten times that amount is apparently needed to construct the five to ten thousand miles of railway that are now annually called for.

Whence comes this immense mass of capital, and why are its owners so eager to subscribe to every plausible scheme presented to them, in great part by persons whom experience has shown to be unworthy of public confidence? How happens it that there has been such a body of capital as could be drawn upon without difficulty by the promoters of such constructions as the "West Shore Hudson River," the "Nickel-plate," and other railroads, which were confessedly unnecessary, and not called for by any substantial business interests? The object of the owners of this invested capital was to obtain an income from it; the incentive to future gain was the motive that caused them to save it. This capital consists of the excess of cotton, grain, petroleum, and other commodities that we produce but cannot consume, even when every man, woman, and child in our country has enough. We export it because we do not need it, and the

proceeds come back to us in the form of money or other commodities, which are added to our wealth or abundance. By the aid of machinery that we have applied in the greatest measure to agriculture, to manufactures, and to distribution, our productive capacity has been so increased, that more capital is annually added to our stock than we can use judiciously within our own borders. Hence, the active competition of one owner with another has so reduced the rate of interest as almost to render the possession of capital a burden. Is this in the nature of things, or is there some purely artificial cause for the plethora? If our own common-sense reasoning did not supply us with an answer, a reference to Adam Smith would; for his great work, "Wealth of Nations," is throughout a demonstration that obstruction to imports or exports immediately acts to reduce the value of capital, and this is exactly what has happened to us as a nation. Our excessive tariff has shut us out in a great degree from the commerce of the world. We can neither own ships nor make use of them, and we have no investments, of any moment, in any foreign countries; but go where you will, you will find English capital employed, while English commerce, carrying English goods, reaches the remotest corners of the world.

With double the producing power of England, we have not half her opportunity to use our wealth. We are merely provincial; our commerce is dwarfed; our great merchants have disappeared; we have not sufficient nerve for our energy. Our capital is confined to too small a sphere; and it is mainly for this reason that the plausible and speculative railway promoter has been enabled to reap a rich harvest, to the detriment of thousands who had believed themselves sure in the possession of solid wealth. Money is wasted on useless railways, because the opportunity for other investments has been restricted by a high and so-called protective tariff, which has ceased to protect even the special industries on whose behalf it was imposed.

Tariff reform is, therefore, inevitable, because the necessities of the nation are going to compel it. If all existing leagues and clubs organized to promote it, and all its special individual advocates, should hereafter totally refrain from any action or speech, its advent would be none the less sure; because, although war or short crops in Europe may temporarily change the situation, industrial depression, business stagnation, and social discontent in the United States, as a rule, are going to continue

and increase, until the nation adopts a fiscal and commercial policy more liberal and better suited to the new condition of affairs. These views will not probably find acceptation with that large class who have been educated to believe that the remedy for every economic evil is a tax; but this class will in time learn that if a tariff, as is claimed, has really been instrumental in building up the colossal fabric of our manufacturing industry, its work is done. They will not probably be accepted by those who view the situation mainly from the railroad and stock-exchange stand-point; but this class, also, after some further experience, will learn that there will be no healthy, legitimate business on the stock exchange, unless the manufacturing interests of the country are prosperous; and that these interests will have no money for outside investments, until they can sell at a reasonable profit what they have the capacity and desire to produce.

DAVID A. WELLS.

"A tariff exclusively for revenue is an injustice to all the poor people in the land. What reason can you give to a man who has a dozen children and is poor why you should tax the mouths and backs of his family and himself to raise revenue for the support of the Government, rather than to raise it upon property, as the States and municipalities do, unless you can show to him that these duties are either levied upon luxuries which he does not use, or are so levied as to protect the industries by which he lives? Why should the Government raise its revenue upon his necessities and the needs of his family, rather than upon the property of the childless man of wealth — the Government, which alone stands between the rich man's possessions and the strong who would wrest them from him? No good reason can be given, unless you enhance his wages by as much as you take from him through this method of taxation. Protection does this and more."— (*Speech of Hon. S. L. Milliken, of Maine,* April 30, 1884.)

THE foregoing extract from the speech of an able protectionist Congressman affords a rare example of candor and willingness to look facts in the face. The same admission as to the inevitable effect of tariffs upon imported goods was made forty years ago by David L. Seymour, then a distinguished member of Congress from New York. It is a concession as to the wickedness of the whole tariff system, which the plain truth demands, but which is seldom made. Every tariff must, by its very nature, increase the price of many articles consumed by

the poor as well as by the rich, and must inevitably lay burdens upon every man in proportion to the number of mouths that he has to feed and backs he has to clothe, without regard to his poverty and consequent inability to support taxation. The talk about collecting tariff revenue from luxuries only is idle and absurd. In this country, at least, it never was done; it never will be done; it never can be done. The fundamental proposition upon which every discussion of the subject must be based is, that a tariff-tax, whether paid directly to the Government or indirectly to the domestic producer, must and will increase the cost of living of all classes of the community, and will lay burdens on them in proportion to the amount they are obliged to spend, without the slightest regard to the amount of their accumulated wealth.

Taxes, it is universally admitted, should be borne in proportion to the amount of actual property owned by the tax-payer. There are differences of opinion as to whether all classes of property should be taxed alike; but there is no difference of opinion, we believe, as to the injustice of taxing a man who owns nothing as heavily as a man who owns much. It is certain, too, that taxes can be only paid out of savings. It is utterly impossible that any man should pay a tax out of money that he has already spent; although he can be forced to pay out of his savings a sum proportioned to what he has spent, instead of what he has saved. Every tariff taxes men in proportion to what they spend, and not what they save, because the tax is paid by the consumer only when he spends, and in proportion to what he spends. Now, the great mass of the community, whom we generally call the poor (because their incomes, even in this country, average much less than $400 a year) could not, even with the utmost economy, help spending from two-thirds to three-fourths of their incomes, even if there were no tariff and no indirect taxation. But the wealthier classes, including all those whose incomes are from $5000 upward, can live very comfortably without spending more than one-fourth of their incomes; and, if the same rule of stern necessity were applied to them that is applied to the great mass of people, and they were only allowed to spend $300 a year in the support of themselves and their families, these classes would save nineteen-twentieths of their incomes. But the burden of taxation imposed by a tariff being the same in each case, while the savings out of which the

tax is paid are enormously greater among the rich than among the poor, the result is that the relative weight of taxation under this system is enormously more burdensome to the poor than it is to the rich. It is therefore clear, as Mr. Milliken and Mr. Seymour conceded, that any tariff is a monstrous injustice to the poor, unless it increases their income to an extent exceeding its burdens. The only question that needs to be discussed is, whether a protective tariff does raise or can raise the wages of ordinary workmen.

Mr. Milliken, like all other advocates of protection in America, calmly asserts, as an incontrovertible fact, that "protection does this and more." But the facts of history in this country directly contradict the assertion. Wages never have advanced as rapidly, even in nominal value, under highly protective tariffs as they have under very low tariffs, except during the war of 1861–65, which carried enormous numbers of workmen from their shops, and inflated the currency. Almost directly after the close of the war, even while the currency remained inflated, wages fell to such a point that, measured in gold, they were very little above what they had been before the war, and, measured in purchasing power, were very much below that figure. And for two years past, although the currency remains largely inflated, the average rate of wages in manufactures, mechanics, and mining, throughout the country, has been decidedly lower than in 1860, although the rate of so-called protection is now rarely less than twice, and often thrice, the amount afforded by the tariff of 1860. There has been a larger proportion of years of distress, short work, and low pay, during the existence of the present tariff, than there ever was under the low tariffs of 1846 and 1857. When the tariff was at its very highest water-mark, in 1868, Hon. John Covode, a distinguished Pennsylvania protectionist Congressman, publicly declared that American workmen were in deeper distress than ever before in the history of the country. Since then, with a tariff only slightly reduced in any protective feature, and in many respects actually increased, we have gone through still more distressing and disastrous periods, lasting from 1873 to 1878, and from 1882 to 1884, until to-day multitudes of protected American miners and mechanics are working for fifty to eighty cents a day, without steady employment even at those rates. The average rate of wages in American cotton-mills, in proportion to the number of hours

of work, is actually less than it is in England; and in many large branches of protected industry the rate of wages has fallen almost to the starvation-point. The statistics have been given repeatedly, and there is not room for them here.

Such being the facts, it is time to inquire what is the true theory that will fit these facts. Is this obvious and universal decline in wages and depression of the working classes in our country the natural result of protective tariffs, or have they nothing to do with it? The answer is very simple to those who will frame their theories with reference to facts. The universal protectionist theory is, that the policy of shutting out foreign manufactures from competition with our own must inevitably raise American wages, because it must increase the demand for American manufactures. Protectionists never stop to ask what kind of goods are shut out, and what cannot possibly be shut out by any tariff; they simply see that something foreign is shut out, and conclude that everything of American production must be in better demand. They argue that American manufacturers will make more profit when foreign goods are excluded, and, therefore, that American workmen will certainly receive better wages. But all these theories are the purest assumptions, not warranted by facts, and directly contrary to experience and reason.

In the first place, experience shows that the natural obstacles to the supply of finished manufactures from abroad are so great that, even if our legislative policy were reversed, and we sought to encourage such importations, we could not succeed. There never has been a time in the history of this country, for at least one hundred and fifty years, in which the great mass of finished manufactures were not made here. We will not stop now to show why this is so, because the fact is beyond all dispute, and is established by an overwhelming mass of evidence, running back to the year 1720. Statistics for the past sixty years are more explicit upon this point than for the earlier period; and they show that more than seven-eighths of all the articles that are now and have been for sixty years imported from abroad (excluding articles of food) consist of things that are used solely as materials for manufacture in some form; and this has continued to be the case, even under tariffs that imposed higher duties upon the materials than they did upon the finished manufactures. So great are the natural obstacles to the importation of clothing in its finished forms, of house furniture, of

houses themselves, and of most manufactured articles of family consumption, that it is practically impossible that they should be, to any large extent, supplied from abroad. We will mention but one example, that of iron, in which, during the past ten years, not so much as one-hundredth part of the whole importation has been received in a state fit for family use. It is therefore incontrovertible that the great burden of tariff taxation falls upon materials used in manufactures; and this burden the manufacturers must pass on to their customers.

What is the necessary result? Every tariff, and especially every protective tariff, making materials more expensive to the American manufacturer than to the European, the American is compelled to raise the price of his goods to meet this tax. The moment he does this his market shrinks, because it is a well-known law that there are ten persons who can afford to purchase an article for one dollar, against one who can afford to purchase it for two dollars. With every increase in price, therefore, the manufacturer finds fewer customers and makes fewer goods. But the necessity of making his prices suit the market compels him to be content with a smaller profit than he might have if his materials were untaxed. What, then, happens to his workmen? In the first place, he feels that he cannot afford to pay so high wages as he otherwise would, because his materials are made to cost more, while he cannot sell as many goods at the advanced price necessary to repay the tax. In the second place, the sale of his goods being restricted by their advance in price, he does not need so many workmen as he did before; since the number of workmen employed depends upon the number of goods made, and the number of goods made depends upon the number that can be sold. A protective tariff, therefore, cuts wages at both ends. Increasing the price of the manufacturer's materials disposes his mind to cut down wages to make amends; and compelling him to raise the price of his goods makes it impossible for him to manufacture so many goods, and absurd for him to employ the same number of workmen that he would if not interfered with. It will be said, in reply, that the benefit of the tariff counterbalances all this, because it shuts out foreign finished goods as well as materials; and that the manufacturer will increase his sales because foreign goods cannot compete with him. But we have pointed out that the experience of one hundred and fifty years shows that, under any tariff or under no

tariff, the great mass of finished goods are and would be made here. A protective tariff does not shut out any important amount of foreign goods from competition with the manufacturers of finished articles; because scarcely any such goods ever did or could come from abroad. The effect of a tariff, therefore, upon the mass of absolutely completed manufactures is necessarily injurious to the manufacturer and disastrous to his workmen.

A curious delusion prevails in many minds to the effect that, if manufacturers are only secured large profits on their sales, they will divide liberally with their workmen, in the shape of increased wages. But large profits mean high prices, and high prices mean relatively small sales. A manufacturer who is guaranteed two dollars profit on each article that he sells will be content with selling a much smaller number of articles than he would be if he could make only one dollar on each. But the effect of a guaranty of large profits on small sales is naturally to induce him to employ a small number of workmen; whereas, if his profits depended upon the number of articles manufactured, rather than upon the amount of profit on each, he would be driven to increase the number of his workmen, in order to secure to himself the gross amount of profit on which his mind is fixed. The absurdity of supposing that wages must rise with every increase in profits is so transparent as to be beyond argument. If you increase the fees of a lawyer for the same amount of work, from $5000 a year to $10,000, does anybody dream that he instantly doubles the salaries of his clerks? If a builder offers to put up a house for $10,000, and you generously give him $20,000, do you imagine that he divides the extra profit among his masons and carpenters? Why should a manufacturer be expected to be more liberal? The result of all these considerations may be summed up thus:

First. Every tariff necessarily robs the poor, by taxing them ten or twenty times as heavily, in proportion to their means, as the rich.

Second. Such a system can be justified only on the theory that a tariff so framed as to prevent revenue by shutting out foreign goods will increase the profits of home manufacturers, and thus induce them generously to increase wages.

Third. The actual effect of every tariff is to increase the cost of production, to restrict its amount, and to reduce the demand for workmen, consequently reducing their wages.

Fourth. The more highly protective the tariff is made, the more rapidly will it restrict the employment of workmen, and the more surely will it cut down their wages.

Fifth. Free trade, on the contrary, by making materials cheaper, would enable manufacturers to pay higher wages, without loss of profits; and, by compelling them to rely for their profit upon the amount of their production, instead of the monopoly of a narrow market, would compel them to employ more workmen, and therefore to pay higher wages.

Sixth. The uniform experience of this country shows that these results have come to pass. The average advance in wages has always been far greater under low tariffs than under high ones; while to-day, after twenty-three years of high protection, wages in the protected industries are much lower, on the average, than they were under the non-protective tariff of 1860.

THOMAS G. SHEARMAN.

IT is a well-known law of business that the consumption of an article increases as the cost of the article decreases. It is also a well-known law in manufactures that a largely increased manufacture of an article, in the manufacturing of which there is sharp competition, is immediately followed by a great decrease in the actual cost to manufacture. Increased consumption and decreased cost of production act and react upon each other, producing results previously deemed unattainable. A comparatively small decrease in the cost of an article has often, in a short time, doubled the demand and consumption in this country, giving vastly increased employment in its manufacture and calling forth business energy in its sale and use. No legislation should be allowed to bolster up unnaturally high prices, or to stand in the way of that free and wholesome competition that not only brings low prices of merchandise to the whole people, but stimulates the energy and inventive faculties of the producers to new improvements and inventions, and to more economical and better methods. Free competition, whether home or foreign, sharpens the wits and increases the wisdom, ability, and wealth, not only of those actually engaged in the peaceful strife, but of the whole country.

No people relieved of competition in their manufactures and commerce could attain or hold a high position in those branches of employment, and no people not ranking fairly well in those branches could rank high as a nation. Fortunate it is for the people of the United States that free trade has been the law and practice between the different States, as the competition in manufactures and commerce resulting from that free trade has roused the energy, sharpened the wits, and broadened the minds not only of the business man, but of the whole people. The United States has been, and still is, an entirely free-trade country so far as relates to imports and exports between the States, and to that free trade we should give credit for the growth and expansion of the business of the country to its present importance, for the income to all classes that has been the means of adding so much to the welfare and happiness of the people and has spread knowledge among them so universally. The high condition of our mechanic arts, and the immensity of our internal commerce, are due to free trade, and not to high tariffs. Without this freedom from tariffs between the States, our country would have been a collection of comparatively weak States, with armed customs-officers lining the borders. A desire for the extension of the limits of free trade is the fundamental motive of the almost universal craving for expansion of territory by annexation and of civilization by new settlements.

The protection theory is based upon the supposed necessity of protecting our labor against the pauper labor of other countries —a theory based upon another false theory that underpaid and underfed labor is more profitable to the employer than well-paid, well-fed, and intelligent labor. The people of the United States need not, on that account, fear free trade. The continental countries of Europe, with their low-paid and underfed labor, continue the high-tariff system ostensibly to protect against the comparatively high-paid labor of England, but without success; for well-paid means satisfied, energetic, intelligent labor, and it will overrun cheap labor whenever they are brought into contest; and, therefore, British free-trade-made merchandise sells all over Europe in spite of protective tariffs.

By reason of the immensity of this country, with its cheap and fertile lands, its wealth of forests and mines, with means of steam-power and water-power without limit, and with an intelligent and vigorous population descended from, and made up of,

the more energetic of the world's best nationalities, the United States should be the leading manufacturing and commercial country of the world. Capital is abundant and cheap, although shy of manufacturing employments because of the fluctuations and uncertainties of a manufacturing business based on a protective tariff that substantially confines it to the necessities of one country for a customer. With no burdens or unnecessary restrictions upon agriculture, manufactures, and commerce, our ships would cover the oceans, and the products of our factories, as well as of our soil, would share largely in supplying the markets of the world. We should receive in return such articles from all other countries as we cannot profitably produce here, and that is a commerce that is mutually advantageous. Were our resources, intelligence, and activity relieved of the burdens of a high tariff, we need fear no competition except in the production of articles that we ought not to attempt to produce, by reason of the unsuitableness of our soil or climate or our remoteness from the raw materials.

Each nation, and the individual men of each nation, should be free from Government direction, and be allowed to be their own judges as to what they can most advantageously produce or manufacture, whether circumstances are favorable for successful competition with foreign makers, and whether they have the necessary knowledge and skill to compete successfully with others especially well situated. What our people cannot produce or manufacture to good advantage should be purchased, and be paid for in articles they can produce or manufacture to advantage. A division of labor is as desirable among peoples as among individuals. No family, even, can profitably produce every article it consumes, but must sell and buy; and so with nations. It is folly for the United States to try to produce every article it needs; but the manufacturers should be allowed the privilege of getting their raw materials at as low prices as the most favored, and free of duty, or their productions cannot be sold abroad, nor can they be sold at home except at prices burdensome to the consumer.

Under free trade with foreign nations that would bring free trade in raw materials, the increased home demand for manufactured goods would require immensely increased manufactures, and consequently greater demand for labor. The great increase in manufactures, and free competition, would promote discoveries

of new and better methods, and still lower costs for better goods would follow, without reducing the wages of labor. Comparatively few branches of manufacture in this country are now unable to compete in neutral markets with the manufactures of Europe, for any reason but the higher cost of raw materials. This is shown by the fact that the more labor expended in the manufacture and finish of an article, or, in other words, the farther advanced from the condition of raw materials the article is, the more readily it can be exported. Labor in this country, when measured by what it accomplishes, is the cheapest labor in the world, although the day's wages are larger and the wage-earner receives the highest reward here. The number of persons employed in manufacturing and mining in this country is insignificant when compared with the numbers employed in agricultural and other pursuits; and the factory and mining employés' wages depend not upon the so-called "protection to American labor," but upon the inducements and earnings of farming and farm labor, the price of the products of which is made in the foreign countries that take the surplus. The employing manufacturers and miners, however much they may be protected by high tariff, do not carry on their respective branches of business for the sake of advancing or keeping up the price of labor, but for their own profit. They pay for their labor not one cent more than will induce it to leave the farms or keep it from going to the farms. The more prosperous farming is, the higher farm labor is, and the higher the factory or mining operatives' wages will be. Surely, it is for the interest of the mining or factory operatives to have the farming interests in a prosperous condition and relieved of the burdens of high-tariff prices on everything they consume, that the farming interest may be able not only to pay higher wages, but to consume more of manufactured goods. When mining and factory operatives become assured of the fact that a Government protective tariff not only does not bring them higher wages, but actually reduces the profits of farming and farm-laborers' wages, and their own in proportion; increases the cost of their own living; and, in addition, protects their employers, in their associations and combinations, in the limiting of production through stoppages, lock-outs, and intentionally produced strikes; they will vote with the political party, whatever may be its name, that is in favor of an early adoption of the policy of free trade. And whenever

the producers of the great articles of now highly "protected" raw materials accept that policy, they will see that an immensely increased and steady demand for the things they have to sell, with lower cost of production, brings them a higher and more permanent condition of prosperity than they have ever seen.

With the inflow of foreign skilled and unskilled labor, added to our native labor, which is constantly increasing and becoming more productive with our increased and increasing machinery and better methods and processes of manufacture, foreign markets should be opened to us, and would be by free trade. Only the low costs, based on free-trade raw materials, will do this to any considerable extent. Any approach to free trade, however short the steps may be, should be welcomed by all. It may be well that timidity and ignorance under the name of conservatism, and narrow selfishness under the cloak of patriotism, will prevent the progress from being so rapid as to create alarm by reducing values too fast; but the present period of low prices is a peculiarly favorable time for a long step toward free trade. No article is entitled to a higher tariff for protection than any other; or, in other words, the people should not be compelled by the Government to pay to the producer of any one article a greater percentage of extortion than is paid on any other. In all cases where one article has a higher rate of tariff than another, either no attempt to produce the higher-rate article should ever have been attempted in this country, or there was improper and unholy scheming by, and favoritism to, the producers or manufacturers of it. Or, to put it more mildly, the producers or manufacturers of the low-tariff article neglected their own interests in not also getting a monopoly tariff.

Nature has given the coarser raw materials a large percentage of protection in the form of freight from the foreign country. Freight on iron ore is one hundred per cent.; on pig-iron it varies from ten to twenty-five per cent. And the country pays, in addition, a price for all the iron it uses that is nearly double the price in England, on account of a tariff equal to about sixty-six and two-thirds per cent., nearly all of which goes to the American producer, but none to his employés, and scarcely anything to the support of Government.

In order to oppress the great body of the people as little as possible, and logically and honestly carry out the protection policy of supporting the Government by duties on imports, so

that the alleged protection shall be impartial to the employés in all the various branches of industry that produce the protected articles, the tariff should be no higher than is necessary to support the Government economically, and should be the same on all articles,— that is, the same percentage on the value at the last place of export. But in making up the account of duties at the custom-house, to be paid by the importer, the freight on the imports, from the last place of export, should be deducted, and the remainder only should be paid to the Government as duties. This plan, in its operation, would make protection impartial, freight from the place of exportation being a part of the protection. Surely, under a tariff law claimed to be framed for the purpose of protecting labor, the protection on coarse, raw materials, including freight protection, should not be greater than on manufactured articles, in condition for use, made from such raw materials. By the skillful handling of Congressional committees, metals, such as iron and steel in all forms, copper, lead, etc., and wool (raw materials) now have nearly double the protective tariff that the articles manufactured from them have, and this under a tariff falsely called protective to American industry. The producers of the raw materials hold the Government to this policy with a narrow selfishness that is becoming intolerable to the people, who will soon learn what a burden labor is carrying. Monopolies never yield except on compulsion.

J. B. SARGENT.

WE have now had twenty-three years' experience of the protective system. The advocates of that system hold that there is some adjustment of taxes by which the industry of a country can be forced into a better organization than that into which it would grow by the voluntary coöperation of free citizens. They have no tests for finding out what that adjustment is, and they can give the legislator no rules for applying their theory. It is a purely arbitrary dogma, and the only method of applying it is by constant trial and failure. The legislator has no knowledge of the laws of the force he is using, of the mode in which it will operate, of the proportion of its effects, of its remoter consequences, or of its incidental combinations and relations. He never

obtains any subsequent tests of the result of his work. The protectionists themselves say of their scheme that it is not quite right, that "inequalities need to be remedied," that it needs "re-adjustment," that there are "snakes" in it. If any one proposes to reform it, they complain of tariff-tinkering, but they are tinkering it all the time. They propose to raise taxes at any time, as, for instance, that on wool, but denounce a proposition to lower taxes as tending to "disturb industry." They say that they want protection only for a time, but refuse to define the time. It is always "not yet." They refuse to be bound by the results of their own experiment, but have a special plea to bar every rational inference, undisturbed by the fact that their special pleas, when taken two and two, destroy each other. It is plain that the whole theory is impracticable. It is like trying to invent perpetual motion. It is always at the point where it will not yet quite work.

For after twenty-three years of experiment it is fair to examine results. Not a single result that was promised has come to pass. The industries of the country have been set at war with one another, and consequently have organized as rings and monopolies, whenever possible, so as to plunder the industries that cannot be formed into rings (agriculture, etc.). We have had no steady growth and prosperity, no immunity from industrial ills, but rather a constant succession of heats and chills, industrial convulsions, strikes, combinations, suspensions of industry, and irritation between classes. The protectionists, it is true, claim that they have produced the prosperity that the country has had. They take credit for the bounty of nature to the inhabitants of North America. They claim to have produced the happiness due to the bounty of nature, because they have not altogether destroyed it. They claim that they have given to the farmer the part of his produce that they have not taken away from him, and that they have given to the laborer the part of his earnings that they have allowed him to keep. It is manifestly impossible to tell what protection has done for the country, unless one is able to form some judgment of what our state would have been to-day, if, for the past twenty years, the American people had been allowed, man by man, to earn what they could, and keep what they earned. That the accumulation of capital here would have been far greater than it is; that it would have been more equally distributed; that population would have been distrib-

uted where it would have been industrially more secure; that laborers would have been more steadily and securely gaining capital, and would have been more contented; that the organization of industry would have been more free and fair; and that the Government would have been more sound and pure, are convictions that will be forced upon any candid student of the laws of economic forces and social development.

In the twenty-three years during which we have been trying the experiment of protection, the arts and sciences have made greater progress than in any century before. We have nearly doubled our population. The acreage of improved land has increased in the ratio of 4 to 7. The capital in manufactures has increased in the ratio of 3 to 7. The number of miles of railroad in operation has been multiplied by five. Our exports and imports of merchandise have increased from $687,000,000 to $1,547,000,000; for we produce a surplus of wheat, cotton, tobacco, provisions, and petroleum, that we must export, and when we export it we get something for it, in spite of theories that make commerce folly. Our system of taxation for protection, with incidental revenue, has carried our revenue from customs from $53,000,000 in 1860 to $216,000,000 in 1872. It reacted to $130,000,000 in 1878, and rose again to $220,000,000 in 1882. In 1866, we collected $309,000,000 by internal taxes. This was reduced in 1874 to $102,000,000; but, in 1883, in spite of abolition and reduction of taxes, it was nearly $145,000,000. In the same period a great number and variety of new industries have been opened; others have been entirely transformed in process and organization; others have been reconstructed several times over by new inventions, or by changes in fashion, or by the adaptation of new materials. Ocean transportation has been completely revolutionized, and international communication has been established by ocean telegraph cables. Within the same period, banking facilities in this country, and between this and foreign countries, have undergone great improvement. Finally, it is not to be overlooked that a new generation has grown up under a common-school system far superior to that of any earlier period, and that free labor has taken the place of slave labor throughout the Southern States.

Over all this unprecedented natural and social growth, the war-tariff taxes have been maintained, with few unessential modifications, as a rigid, cast-iron frame-work to which industry

under all its expansions must conform. The modifications that have been made in the system have been by way of subdivision and refinement of classification. These changes have been pushed to the most ridiculous extreme, but the general scheme and adjustment of the tariff is what it was twenty years ago. But it must be plainly evident that, if Congress could once hit upon some beneficial adjustment of tariff taxes, it is impossible that such an adjustment could stand good for a month in the face of the growth and expansion of the country. When a tariff system is laid upon a country that has had a free system, the new system gives advantages to its beneficiaries at the expense of other domestic industries, while the change is going on, or until the effect is distributed. When the effect is once distributed throughout the industrial system, the device is of no benefit to any one, but is a burden upon all. Such is our position now. The system runs down into ruts. Masters of industry expend their ingenuity to conform to, or defeat, the unfavorable operation of the system in its details, and come to believe in the system with a purely superstitious faith. They cannot see a point in which it helps them, but they dare not trust themselves out of it. They know that they give and take under it. They have no means at all of finding out whether individuals or industries give more than they get, while it is a mathematical certainty that some must give; all cannot win. Undoubtedly some are now far worse off than they would be under absolute free trade. They do not see what the tariff robs them of in the way of chances. All the new openings of industry and commerce that would present themselves under freedom are unknown and unheeded. It is safe to say that we are turning our backs on an industrial empire, while our protectionists are painfully constructing their systems for log-rolling with one another for the plunder of the agriculturists at home. They tell us about the comparative advantage of home and foreign trade as if there were any such distinction, or as if we must give up one kind of trade to get the other.

The protective system is sure to be disintegrated and swept away in time by the advance of improvements in science and art, just as passports and other devices of police government were destroyed. But it belongs to the character of intelligent men to recognize a mistake, and to draw the correct conclusion from an experiment; and, if we do this, the question is, how

we are to extricate ourselves, with as little loss as possible, from the situation in which we have placed ourselves. At the present moment, the system is producing for us consequences of the utmost moment, both economically and politically. Since we cannot, as above shown, cut off foreign commerce, we obtain an excessive revenue. We find a national surplus a far greater curse than a national debt. Lest the taxes — which are paid to the protective interests — should be reduced as a means of lowering the revenue, the protectionists propose all sorts of schemes for squandering the surplus, and we are invited to collect taxes from ourselves to swell a great fund for corrupting both our Government and ourselves. Certainly it is an astounding theory of wealth that cannot be carried out in practice without taking citizens' earnings away from them and then giving them back again, in order to make them rich; but men whose minds have once closed with a good grip on a dogma never give it up on account of facts of experience, or on account of the absurdities into which it carries them,— least of all, if they think it favorable to their interests.

The task of taking down such a tariff system as we now have is, no doubt, difficult, and, under our political system, it is not to be expected that that task will be undertaken intelligently and carried through methodically. It is easy enough to find fault with any plan of horizontal reduction, or the correction of the grossest abuses. The most determined free trader would be forced to confess candidly that any project of reform that might be proposed would probably involve temporary inconvenience to somebody. If any one knows of any abuse that has ever been reformed without hurting some vested interest, or of any mistake or folly that has ever been corrected by man or nation without pain and loss, or even of any improvement in machinery, process, routine, or otherwise, without inconvenience to somebody, he has an opportunity to bring forward something hitherto unknown. What then? Are we never to reform an abuse or correct an error? There is, however, no reason to believe that the complete abolition of the protective system would cost as much loss and inconvenience as was endured, partly on account of the tariff, in 1883. So long as the system lasts in its present condition, as a device that has exhausted itself, it will produce heats and chills of prosperity and disaster. Wage-receivers need first of all regularity and steadiness of employment. Lower

wages with security are valued above higher wages and uncertainty by every intelligent wage-receiver. With the former it is possible to accumulate capital far more rapidly than with the latter. But protective taxes lower wages, and the abolition of taxes would both raise wages in rate and give regularity and security. Hence, the present system, producing sudden convulsions, quarrels, strikes, and suspensions of industry, is a great evil, with no prospect of cure, and it is forcing this generation to waste its life within reach of plenty. Therefore, since the evil will not cure itself, it is for the interest of all to make the necessary effort to do away with it.

It is generally assumed that it will be wise to do away with the system gradually and slowly. It is said that industries would receive a shock or be destroyed by any sudden action. No reason for these assumptions has ever been given, and they are not based on any facts or sound reasoning. On the contrary, delay in the process of reform would produce evils that would be avoided if the change could all be made in a day. The period of transition is the one of hardship, so far as there would be any hardship. Therefore it is wise policy to shorten the period of transition as much as possible. If Congress takes down one part of the system and leaves another part, it will create new relations between interests, which may be exceedingly disadvantageous for some of them. If it cuts down the rates by a horizontal reduction, the result will not be uniform for all interests, but quite the contrary. If, then, this process is repeated later, and so on from time to time, there will be a prolongation of uncertainty, and at every stage harm may be produced to different interests, which would not be produced at all by a single and complete change after reasonable notice. If, however, it is necessary, as it probably is, to do what is less wise but more in conformity with prejudice, the reform of the system should begin with the abolition of taxes on primary products of the soil, and advance by rapid stages to reduce and abolish taxes on the more advanced products. Not more than one period of production for different classes of products should intervene between these stages. There should be an immediate and very great increase of the free list by the transfer to it of those commodities from which the revenue is small, and there should be an immediate reduction of those taxes that are excessive, which never had any justification at all, and which were put in by an

abuse of political power to satisfy pure greed. There are a great number of such items in the tariff, and they are a scandal and a disgrace to democratic-republican self-government.

The present tariff system is a pure hindrance to the wealth and prosperity of the country. So fast as it is reformed, there will ensue, not harm for anybody, but a new spring of prosperity for everybody. There are scores of profitable industries that cannot now be carried on in this country on account of the tariff, but would spring into existence as soon as it was removed. New conditions for industry would be brought about by the abolition of the taxes, and those who dread the change the most would find themselves far better off. People believe that all things else would remain as now, but prices would be greatly reduced. This is a very childish error. The whole market would be re-adjusted to new conditions, and before any man had time to realize that he was going to be hurt, he would find that things had so altered in his other relations that he was not hurt at all. The guarantee for these anticipations is in a correct understanding of the industrial organization of human society, and in a correct understanding of the laws of production and commerce.

W. G. SUMNER.

Published Monthly. Volume 139. Number 4.

SEVENTIETH YEAR.

THE

NORTH AMERICAN REVIEW.

EDITED BY ALLEN THORNDIKE RICE.

October, 1884.

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IV. The Origin of Yellow Fever . . . . . Dr. C. CREIGHTON.

V. Shall the Jury System be Abolished? . Judge ROBERT Y. HAYNE.

VI. The Genesis of Tennyson's Maud . . RICHARD HERNE SHEPHERD.

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Single number, Fifty Cents. Yearly subscription, Five Dollars.

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THE

NORTH AMERICAN

REVIEW.

OCTOBER, 1884.

No. 335.

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NEW YORK:
No. 30 LAFAYETTE PLACE.

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1884.

NORTH AMERICAN REVIEW.

OCTOBER, 1884.

ART. PAGE

I. MORAL CHARACTER IN POLITICS. By JULIUS H. SEELYE, D.D., LL. D., President of Amherst College. 301

II. WHY I WISH TO VISIT AMERICA. By the Rev. AUGUSTUS JESSOPP, D. D. 310

III. THE PHILOSOPHY OF CONVERSION. By O. B. FROTHINGHAM. 324

IV. THE ORIGIN OF YELLOW FEVER. By C. CREIGHTON, M. D. 335

V. SHALL THE JURY SYSTEM BE ABOLISHED? By Judge ROBERT Y. HAYNE. 348

VI. THE GENESIS OF TENNYSON'S MAUD. By RICHARD HERNE SHEPHERD. 356

VII. THE DEVELOPMENT OF MACHINE GUNS. By C. SLEEMAN, Lieutenant (retired), Royal Navy. . . 362

VIII. BENEFITS OF THE TARIFF SYSTEM. By JOHN ROACH; Prof. ROBERT ELLIS THOMPSON; NELSON DINGLEY, Jr., M. C. 372

NORTH AMERICAN REVIEW.

No. CCCXXXV.

OCTOBER, 1884.

THE MORAL CHARACTER IN POLITICS.

To ONE who notes the signs of the times, it is clear that very significant changes are taking place in the political affiliations of the American people. Party ties have become weak, and with multitudes have ceased to control. There are very many voters, wise and upright men, who have not yet determined for whom they shall vote at the coming election for President; and great numbers on both sides who have heretofore steadily sided with the one party will now vote with the other. Rarely, if ever before, have so many changes in party attachments or so little interest in a party contest been manifested at this stage of a Presidential canvass.

The reason for this is not that the American people have lost their moral earnestness, but because they possess this to so great a degree. The American people cannot be interested in merely playing at politics; they cannot become excited over make-believes. They demand a real issue, which the Republican and the Democratic parties no longer offer. The lines which have separated these two great parties have become obliterated; their two platforms are essentially the same. There is no longer any great political principle which characteristically dis-

tinguishes either from the other, hence we notice that the platform speakers in the present canvass, when they leave the candidates and argue on party grounds for either side, draw their arguments from what the party has been, rather than from what it is.

There are and really can be but two political parties anywhere, for there is but one political problem; and to this only two answers are possible, into which the real issues of all political parties, whatever their name or apparent number, must be resolved. The great political problem—the hinge of all social movements in all time—is, how to marry law and liberty together; in other words, how shall man be governed and yet be free? Government and freedom — liberty and law — are both necessary. If government be wanting, liberty becomes license; if freedom fail, law leads to despotism. But how shall the claims of each be settled? In the perfect state, to which tend all the unformed and unconscious instincts of men, perfect law and perfect liberty will have complete accord; and in the imperfect state, so far as it has any living growth, there will be a constant struggle toward this condition — a feeling after, if haply it might find it, though in the darkness. To the question, how it can be found, there can be, as there have been, only two replies. We can on the one hand set the liberty first, and bring the law to meet its claims; or, on the other, we can put the law in the foreground, and let the liberty follow as the law may lead. Between these two there is a living issue which can rouse men, and which has actually given strength to all political struggles the world over.

It is quite easy to see that this has been in former times the exact issue between the Democratic and the Republican parties. I do not mean that it has been definitely propounded or even consciously formulated as such (the real motives in great political actions often reach below the consciousness of the actors, and are often most powerful when least perceived), but as one studies the history of these two parties, it can be clearly seen that this issue gives the characteristic marks to both. The Democratic party has taken its ground upon liberty; it has made freedom its primary care. Government with it has had the secondary place, and the consent of the governed the first. From the outset this party has held everything subservient to its own independent will. It has sought only what it

chose, demanding a self-government, with a clear emphasis of the self. The attempted secession of the Southern States, which claimed their right to set up for themselves because they chose to have it thus, was the consistent application of the Democratic principle.

The position of the Republican party has been the exact converse; its eye has been preëminently on the law. While the Democratic party has sought for a liberty which should determine their law, the Republican party has looked for a law which should maintain their liberty. It has affirmed a law which ought to be obeyed, and which could rightfully command the choices of its subjects, whether originally conformable to those choices or not. It is sound Democratic doctrine, that whatever the people will is right, and may be enacted as law. The counter principle, on which the Republican party first took its stand, maintains that what is right the people ought to will, and that nothing is lawful or should be chosen unless it has an authority with which men's reason and choice have nothing other to do than to discover and obey. The attitude of the Republican party toward the Southern secession, compelling obedience to lawful authority, though the choices of eight millions of people refused to obey, exactly illustrates its original spirit.

I do not need to exemplify at length this difference between these two parties, though nothing would be easier; nor do I wish now to consider at all which of these conflicting claims has the better ground. The only point I now note is that here is a real and living issue, worthy of the contests which have raged around it, and deserving still to be contended for, only that it is no longer set forth. The Republican party, not formally, not openly,—perhaps still unconscious of any change, —but obviously to any observing eye, has abandoned its early ground. It makes no more any profession of contending for what is right simply because it is right; it no longer affirms any universal rights of man, nor any supreme law of God, nor any claim which rests upon nations, and which all nations in universal brotherhood should obey. In its late Chicago convention, its platform was built with a single eye to what the choices of the people are, without regard to what they should be. The high ground of its early history, when it set up a standard which the majority were sure to reject, but to which they were never-

theless uncompromisingly summoned, and which at length compelled the choices which were at first refused, has been entirely relinquished. Hence the great issue between the two parties no longer exists. They are contending for no principle. Their only struggle is to obtain possession of the patronage and the power of the government. This explains the lack of enthusiasm in the contest, the shifting of so many from one side to the other of hitherto dividing party lines, and the uncertainty of so many at the present time as to how they shall vote. It explains also the demand, more and more loudly expressed, for a party which shall have some moral convictions, and the courage to express them.

For, whatever may be said about the economic questions entering into state policy, and however prominently, or even exclusively, these may stand out in many minds, the moral relations of the state are, nevertheless, paramount. Economic questions are wisely determined only by ethical considerations. Questions of the tariff, taxation, trade, currency, immigration, the rights of labor and of capital, all root themselves in the deeper question of man's organic relationship with his fellow-man; and can only be wisely settled — settled peacefully and permanently — on the great principle that men and nations are all linked together, that we are all fellow-members, one of another, so that if one member suffer, all the members suffer with it, and if one member be honored, all the members rejoice together. The state, if not a moral person, represents the highest moral will, and any policy of the state is advantageous in the line of what may be called material profit and loss, only as it expresses this moral will; in other words, only as it is determined on the broadest principles of rectitude.

Hence, the first quality of statesmanship is moral. The statesman needs first of all that he himself be upright. A good will, clear and firm, is his best endowment. He needs, of course, high gifts of intellect — understanding of his times, like the men of Issachar, that he may know what the people ought to do; and we may perhaps conceive of a man so well endowed with intellect, so far-sighted, that he could see the wisdom for a government of a moral attitude which he has never taken for himself; as Goethe, great genius that he was, discerned and accurately described experiences of which he was never conscious; but such geniuses are very rare, and even when found we are

painfully conscious — as when we compare Goethe with Shakespeare — of the imperfection of the broadest and the deepest intellect uninstructed by the inspiration of an all-controlling moral purpose. If there be a strong intellect, there is nothing like a will centered on the right, to steady and clarify its vision. Only he who is truly willing to do what is right can truly know what is right.*

It is true that if a man has not committed himself in self-abnegation to the right, he may see many things which the right requires, and may do them on grounds of expediency alone. Honesty is always the best policy, and a politic man, so far as his deeds are concerned, may conform his ordinary conduct to this principle. But when it comes to a pinch, when he reaches an exigency where the right requires a sacrifice of himself, either his insight or his heart will fail him. Sacrifices are not accomplished simply because occasions demand them. The spirit of self-sacrifice, the renuciation in the inner soul of every interest of self, must be the abiding principle of life before any occasions can call it forth. A man, therefore, who is only politic cannot be trusted in an emergency. Hence, it is never safe to commit great interests of state — or, indeed, any other great interest — to such a man. The great opportunity is a great temptation which is sure to blind him, and then to lead him astray. He may be brilliant, versatile, widely acquainted with state procedure, but unless he is capable of surrendering his own advantage to the public good,— capable of yielding himself entirely to his duty,—he will be a wiser counselor in private life than in official station.

Neither is it safe to confer a great trust on an impure man. Clean hands do not belong to an unclean heart. A man cannot be unqualifiedly trusted with anything if his virtue cannot be trusted. The whole moral life is so interlocked, all its manifestations are to a discerning eye so expressive, each of all and all of each, that the scripture statement, he that offendeth in one point is guilty of all,† finds its echo in the proverb which expresses the undoubted human consciousness, *falsus in uno falsus in omnibus*. The quality of the source will appear in all its streams. "Doth a fountain send forth at the same place sweet water and bitter?" It is indeed a blessed truth that human life is capable of great renovations. However we may explain it,

* John vii., 17. † James ii., 10.

men are sometimes entirely transformed in character, the base man becoming estimable, and the dark heart shining with light; but while a hopeful charity will have its eye always open to this possibility, a wise judgment bids us look for evidence of such a change before we fully trust a man long known to be untrustworthy. A candidate for high office whose chief claim is the brilliancy of his intellectual gifts or the strength of his executive power, but who has shown himself lacking in integrity or purity, will be wisely discarded by every voter who is wise, unless he has shown, not by his words alone but by his deeds as well, the evidence of his inner transformation. Moreover, unless this witness of the light be just as prominent as that of the darkness has been, it is a grave query whether the election of a man who has not clearly cleaned himself from charges of unworthiness, might not seem to the public eye such an indulgence for his offense as would be a disastrous shock to public virtue. We need both caution and courage as well as charity here.

But what if we have no other candidates? What if we seem shut up to a choice of evils? We are not; it can never be necessary to vote for an unworthy man; there can always be found candidates who do not solicit the votes of any one, but who are worthy the votes of all. The American people do not lack here; they have never been wanting in men fit to lead them; they have found their leaders, sometimes after delays, but in the end with unerring instinct.

It is not wise to take counsel of timid expediency here; votes are not thrown away which are cast for right measures and right men. If they are scattered, lacking organization, as is sometimes likely, and therefore seeming to fail of any immediate result, they have not failed. A ballot which is only a protest may have an all-controlling potency over the future, and this may be far more important than any present end. The exhibition on a great scale of a political force which will not be led by any pretext of expediency against a calm and conscientious judgment, will soon secure for itself an efficient organization. A scattered vote in a single election may easily be the controlling vote in the next. Such a vote, if indicative of a high purpose — a purpose which can neither be cajoled nor frightened, carries with it a healthy instruction to political leaders, and a healthy inspiration to the people.

To this a word of caution needs just here to be added. There is great danger in seeking to reform abuses lest the reformer himself may soon need reformation. A man conscious of a higher plane than others occupy, and who feels himself looking down on those around him, easily can come to contemn and despise them, though they are men like himself, and as men, notwithstanding their perversion, are worthy of his constant reverence. In this he poisons the core of his own moral life. No man can despise another without becoming himself despicable. The constant faultfinder is pretty certain himself to sink into the very faults which he condemns. A cynical, carping spirit which says, stand aside, for I am holier than thou, a Pharisaic, self-righteous spirit, which thanks God that it is not as others are, may often put itself in the front rank of reformers, but it is not of such stuff that high and lasting reforms are originated or consummated. The greatest of all reformers, whose words and work are the most potent agency in the renovation and uplifting of society the world has ever known, gave the key to all genuine reform in his wondrous words,—alas! that they should often seem so little heard,—"I judge no man," "for I came not to judge the world, but to save the world." * He can be followed, and has been, though the way is strait.

That I have not indicated a course too lofty to be practical,—though nothing is so practical as the highest ideal, if men did but know it,—might be shown from the example of Mr. Lincoln, Mr. Gladstone, and Prince Bismarck, the three men most conspicuous for leadership, as every one would readily say, in the great civil movements of the last twenty-five years. Mr. Lincoln was conspicuous, first of all, for his honesty. "Honest Abe Lincoln" was the name he early earned, and which, more than any other characteristic, first commended him to the people. That he should do his duty, it was only necessary that he should know it; and his unerring knowledge — so spontaneously wise that it almost seemed an instinct — grew out of his unwavering loyalty to the right. He knew few books; he had no large acquaintance with men or history; he was no scholar; he was never called brilliant; but he had a reverence for men of whatever station, simply because they were men; he looked up to the slave and looked down upon no man; and this gave him, better than books or learning or brilliant gifts could have done, his

* John viii., 15, and xii., 47.

rare political sagacity; and this, more than all else, taught the people to commit their interests to his guidance, and to follow him with a loving trust which they have never given any leader before or since his time. His power lay most conspicuously in his moral purpose. In his own words — which are likely to live longer and be quoted oftener than any words yet uttered in America, unless it be the opening words of the Declaration of Independence — he had dedicated himself to the task, "that the nation shall, under God, have a new birth of freedom, and that the government of the people, by the people, and for the people shall not perish from the earth."

Mr. Gladstone is trusted in Europe, and most of all in England, where he is known best, for his unswerving moral purpose. He is indeed a man very different from Mr. Lincoln; he is learned in books; he is a scholar; he is familiar with history; he has made a careful study of difficult questions of finance; but in none of these ways has he learned his statesmanship. The most prominent quality of his statesmanship is its high moral ground. He would control nations as individuals should be controlled — by the highest moral principle. His aims in this respect sometimes seem too high to be attained, and he has not unfrequently been called unpractical in his views; but he follows on unfalteringly, confronting questions more difficult than any other statesman of the present hour is forced to meet, but facing them calmly, answering them courageously, as his lofty moral principle directs, believing that nothing is ever settled till it is settled right, and that right and truth and love can settle all things.

Prince Bismarck is a very different man from either of the two named, but he is like them both in the commitment of himself to a high claim outside himself, to which both he and his aggrandizement have been steadily subjected. From the time when he was Prussian Secretary at the Frankfort Diet — as his letters, lately published, show — he has seen the need that there should be in central Europe, for the peace of the world, a great united German power, and has bent himself with iron will to accomplish this. But he has not sought it for himself. He has not been charged with seeking his own profit. His unswerving purpose had its birth, and has had its constant food, in his undoubting religious faith. "If I were no longer a Christian," is his utterance,—which we need not doubt, since all his life

bears witness to its truth,—"I would not remain an hour at my post. If I did not believe in a divine order which has destined this German nation for something good and great, I would at once give up the business of a diplomatist, or I would not have undertaken it. Orders and titles have no charm for me. I owe the firmness which I have shown for ten years against all possible absurdities only to my decided faith. Take from me this faith, and you take from me my fatherland."*

These examples are sufficient to confirm the general position of this article; and they show, moreover, that men who illustrate the moral quality in political leadership need not be wanting among ourselves.

JULIUS H. SEELYE.

* Busch's "Bismarck in the Franco-Prussian War," Vol. II., p. 191.

WHY I WISH TO VISIT AMERICA.

MANY more years than I like to acknowledge have passed away since a day when my father caught me slinking out of his library with Mrs. Trollope's "Travels in the United States" under my arm. He laughed at my absurd precocity, for I was little more than a child, and as he took the book away from me, he said, "My boy, that is not a book for you to read. It is not even true. You shall go to America yourself one day, when you're a man, and you'll know better than to write that kind of stuff." It was a great hope that was stirred by that promise that I should go to America myself some day. I used to think about it, and wonder when I might look forward to being a man, and how it could be managed, and who would help me, and whether I should settle there and own a slave. A hundred times I have dreamt of Boston, and of Richmond, for somehow I never thought of New York, and there was no Chicago then, and no San Francisco. Perhaps, too, the United States might collapse before I ever grew to be a man, and that was a prospect that made my heart sick to think of. I have been told, indeed, that one night I awoke with a cry, and was heard to exclaim, "Pray, God, keep America till I've been and seen it!"

And yet I never have seen America, and I am afraid I never shall see it now, though my youthful prayer has been answered, and America has been kept and seems in small danger of collapsing yet awhile. I have read a great many books about America since those days; but I am bound to say they have not made me much in love with the writers, and I am also bound to say that they have given me very, very little information upon exactly those points that I most wished to inquire into. Of late years I have altogether given up this kind of literature. I believe the last time I looked into any one of these so-called "Travels," or "Tours," or "Reminiscences," was when Mr. Anthony Trollope's volumes appeared, and I could not get through them.

Somehow my father's words on the mother's book seemed to apply to the son's, and spite of myself his voice seemed to be saying to me, "It is not even true!"

But though I have ceased to read books about America, the strong desire to see the New World has never faded; nay, it has increased in intensity as the years have gone on, and what was at first but a vague hankering after something merely visionary, gradually became a definite longing to see and know an attainable reality. My friends laugh at me and assure me I should be very much disappointed; that I should not like it; that no man ought to go to the States after thirty; that at Cincinnati there are only hogs to see, and at Chicago only monstrous corn warehouses, at New York only monster hotels, and at Boston—oh, dear! such arrogant prigs; finally, that it would be quite impossible for me to continue wearing a white cravat over there, for the washing of my linen would simply ruin me. I hold my peace, but I am not convinced, and I still wish to visit America. And why is this wish so strong in me? I will try to answer that question as briefly as I can, but I must needs answer it in a disorderly kind of way, and give my reasons as they occur to me, without any attempt at systematic arrangement.

First and foremost, let it be understood that I wish to visit America because I am so ignorant about the real life of a great nation that has sprung into magnificent maturity in a single century. History has nothing like a parallel to produce, which can for a moment be compared with the growth of this nationality. I use that word advisedly. As to the mere progress in wealth and numbers, that does not impress me much. From anything I have heard or read, it does not seem to me inconceivable that a horde of Chinamen, urged on by avarice and selfishness, might have done quite as much as has been done in the United States in the same time, if John Chinaman had happened to get the start; but if they had done so, they would, I am convinced, have remained a horde of Chinamen still. There would have been no new nation; there would have been nothing like the sublime patriotism that, to my mind, characterizes the great American nation; none of that incomparable chivalry that animated a whole people during the war of secession; none of that proud sensitiveness that surprises cosmopolitan philosophers when they hear Americans speak of "the flag." This is what I should like to look into, like to ask about, like to study on the

spot, namely, What is the amazing cohesive force so infinitely potent to bind together into one corporate, living nationality, atoms so dissimilar as the population that makes up the great American people; which, as I understand it does, seems to give a new focus to whatever old love of home warmed the breast of German, or Dane, or Swiss, or Englishman; which makes them, one and all, forget their old country and their father's house, and lose all desire to return; which, extinguishing the old love of fatherland, replaces it by a new love, a passion for the glory of the present, with its boundless hopes and ambitions, and an almost haughty contempt for traditions; this exulting confidence in a great destiny which disdains the lessons of experience, and does not ask from them guidance or instruction or warning? Am I wrong? or is it not the fact that Americans have incomparably more faith in the *solvitur ambulando* principle than in any other, and that, whenever it is a question between looking back to see what others have done, and looking forward regardless of all precedent, they always prefer striking out a new line rather than following another's lead? Above all men upon earth, Americans are self-reliant, self-asserting. Yet, was there ever a people so much at unity with itself? Selfishness never seems to diminish the intense national pride; the fierce war of parties in politics never seems to affect patriotism. A whisper of disrespect to "our country," or the semblance of a sneer at it, and woe to you! Is not this so? I should like to see the working of this mysterious and, to my mind, awful force, a force that acts upon the new-comer with exceeding rapidity. How soon does the immigrant feel its operation? By what processes does it exercise its prodigious sway? How is it that the Dutchman, who has spent all his life in Java, looks to lay his bones with his father's at Amsterdam or the Hague; that our own Australian colonists, when they have "made their pile," come back to us and call England still their home; that the Frenchman is always a Frenchman, with an astonishing faculty of producing a bad copy of French fashions wherever he settles, and no power of assimilating himself to the manners and customs of the people among whom he sojourns; but that, when people go to America, it is only a question of time when they will become Americans—become absorbed, that is, into a new nationality? These are questions I should like to ask on the spot, and, if possible, test the truth of the answers suggested.

As there are these problems that present themselves in what I may call the national life of America, so there are others in the political life of the American people that I have never been fortunate enough to find discussed adequately.

We in England have been spending fifty years in timidly feeling our way toward giving our masses a voice in the election of members of Parliament. We are on the eve of a great change, when something very like manhood suffrage will be ushered in among us. It is undeniable that among the upper and middle classes there is a feeling of great uneasiness at the prospect, amounting in some quarters to absolute terror and despair, of what may be coming in the not very distant future. Yet America has prospered in spite of universal suffrage, and, as far as I know, seems to be by no means afraid of it. One hears, indeed, of numbers of dainty people, who are sometimes spoken of as "the upper classes" in American society, affecting to hold aloof from political life and taking no part in the strife of parties. It may be so; but do not these citizens of the great commonwealth who give themselves such airs — these ἄχρηστοι πολῖται, as somebody calls them, who, like naughty children, wont play because they can't always be on the inside — constitute a very insignificant number? The fact remains that the enormous majority of Americans are not only earnest and, if I am rightly informed, passionate politicians, but they go to the polls in shoals. That fact alone strikes some of us here with wonder; and the wonder increases upon us enormously when we are assured that this deep interest in political questions appears to be wholly distinct from the political excitement that intermittently rouses the masses in Europe to outbreaks of frenzied hate against established institutions. In France men get wild with panic lest the *ouvriers* should turn upon the *bourgeoisie*. In Germany the socialists have their own ends in view, and do not disguise them. In Ireland the wretched peasantry avow their designs to confiscate the land. The war of politics with us is eminently selfish, and in proportion as it is carried on with more and more passion the less there seems to be of real patriotism. On our side of the Atlantic it is becoming increasingly apparent that the characteristic of our political warfare may be described as

"Each man lusting for all that is not his own."

Mr. Lowell has summed it all up in one of those stinging antitheses that are so stinging they can hardly be true, when speaking from the American point of view, he says:

"Their people's turned to mob—our mob's turned people."

How is it that in America the masses can be disciplined so readily to take their side, and to engage so heartily in the fray, moving together as mysteriously as the swallows that with scarce audible twitterings gather in thousands, plume their wings for flight, seem to hesitate for a brief hour, and the next are gone? We, indeed, have of late been aping some American practices, and trying our hands at the caucus, and the three hundred, and what not. I suspect it is a very feeble imitation, and I suspect that one of my American friends was right when he said with a laugh: "Your fellows don't know their business; they don't understand what they are talking about. They're first-rate at turning out steel pens and such small ware, but they'd better leave our political machinery alone. You're too crowded up in your little island to find room for one of our big fly-wheels!" But how is all this enthusiasm for politics kept up with comparatively so little appeal to the lowest selfishness? and how are these immense numbers manipulated, the vast armies handled as skillfully as if they were soldiers in parade? It is all inexplicable to large numbers of wiseacres in England, who will persist in talking of petty "motives" and "reason" as if they were the prime factors in every social problem.

And this leads me to touch upon another matter, on which I feel myself profoundly ignorant, and which I am sure that others here are quite as ignorant about as I am. We are told that in America there is a recognized profession of politics, just as here there is a medical profession or a legal profession, or, if this is putting the case too strongly, just as here there is the profession of journalism. How in the world do the members of this profession get along? A new President is elected, and we are told that all the old officials are turned out. Where do they go? What becomes of them? What is the effect upon the executive? With us the patronage of the government, at any rate in the civil service, has been reduced to a minimum. Our executive is to a very great extent, indeed, independent of the government of the day. "Men may come and men may go," but permanent secretaries "go on forever." So do commissioners and their clerks,

and the thousands of stipendiaries to whom it matters not one straw whether the Radicals are in or the Tories. With us, when a man has gained an appointment by passing a good examination at eighteen or nineteen years old, it is his own fault if he ever loses it. Practically, there is no getting rid of him as long as he can do his work; he is as safe as a judge, and irremovable. But in America, we hear, every four years they shuffle the cards, and away they go! What results from this? Am I wrongly informed? or is there more absolute patronage, patronage *pur et simple*, in the hands of the President of the United States than in any other hands on the face of the earth? Assuming that it is so, what, I ask, must be the effect upon the moral sentiments of the people at large, inevitably brought day by day and hour by hour into relations with a class of eager office-seekers, hungry, alert, jealous, disappointed, unprincipled, or vindictive, according to their success or failure, in getting what they consider their due. Do the "outs" accept the logic of facts without demur, and forthwith betake themselves to other callings?

That in every change in the chief magistracy of a nation every stipendiary of the executive, from the postman to the judge of the supreme court, should get his dismissal, and the Democrat clerk in the custom-house who was behindhand with his work on Monday evening should leave his arrears to be made up by his Republican successor on Tuesday morning; that when President A enters upon his office, a new game should be begun, and the pieces be all set up again, regardless of the position in which the knights or the pawns were when President B was checkmated,—all this seems to us, from our point of view, not only difficult to understand, but difficult to imagine. Surely, theory and fact in this matter must differ very widely. Am I only exposing my ignorance?

I have used the terms "upper and middle classes" on a previous page. When I have asked Americans what the subtle barriers are that in American society separate class from class, they have replied more than once, "In America there are no classes! We have no differences of rank with us." Strange! And yet we hear of colonels and generals and senators often enough, and I am much mistaken if such titles are at all less esteemed on that side of the water than on this. Be it as it may, however, rank and title may be shadows, but class differences are substantial things. With us the titular aristocracy constitute

a class, an inner circle, that at one time united in itself shadow and substance, and now tends to become less exclusive and less influential, however loudly some may complain that

> "Within these British Islands
> 'Tis the substance that wanes ever,
> 'Tis the symbol that exceeds."

We love rank, because we have a lingering suspicion that it somehow symbolizes wealth, or power, or brilliant intellectual gifts, or great public services, that have forced their possessors into the front rank at some time or other, and received their due recognition in the shape of titular distinction conferred either recently or in days gone by. But if a title is found to be dissociated from any nobleness of character, and is unsupported by brain power or purse power, it will not save a man from humiliating snubs, or give him the *entrée* to any of our upper classes. For we have more than one upper class among us, as other nations have had and will continue to have while the world lasts. In that social world where Mrs. Grundy bears sway, our titular aristocracy undoubtedly are the acknowledged leaders, and to them great homage is paid. But it is not only because a man is an earl, or a lady is a duchess, that the one or the other is surrounded by a little court, approached with deference and treated with studied respect, but because both the one and the other are rich enough to "support the title," as we say. Yes, it is true that in some sense or other

> "Our nobles wear their ermine on the outside or walk blackly,
> In presence of the social law, as most ignoble men."

You may protest that society in England is under the dominion of a plutocracy, then. Yes! and No! Yes, in so far as it is true and always must be true, that no man or woman can live on familiar terms, and keep up the habitual intercourse with the leisure classes, without a certain amount of money; no, in so far as it is also true that money alone, however abundant it may be, will never, among us, give any one an introduction to what we call society. I have heard of cases, and I know of one, where a millionaire from our colonies has taken a palace in London, and lived *en prince;* has been visited by no one, failed to get into any but a third-rate club, found no one to entertain and but few

people to speak to; and finally has gone back from whence he came, astonished, disappointed, and soured. They tell me that wealth in America will gain admission to any society for any one. I have been repeatedly assured by intelligent Americans that this is so; yet I cannot understand that it should be so. I can quite understand that, whatever a man's rank, or gifts, or prospects may be, he would find it very painful to mix with the upper ten thousand if he could not afford to pay for cab-hire, or keep up his subscription at the club, every day finding it hard to get his dinner, and every night perplexed *de lodice paranda;* but I can no more understand how a mere expenditure of cash could get X, Y, or Z into the best society, than I can understand how a payment of, say £10,000, would get an average cricketer into the All-England eleven, or a second-rate oar into the University crew. The Corporation of London is a plutocracy; but society, while accepting his lavish hospitality, treats even the Lord Mayor of London *de haut en bas.* The Lady Mayoress receives ambassadors with condescension; next year some young *attaché* stares at Mrs. Tomkins, and wonders where he has met that woman.

Who are the upper classes in America? It is nonsense to say there are none. Not to speak of those states in pre-Christian times that tended more or less to become dominated over by an oligarchy, Athens was at least as pure a republic as America is; her people were as proud, as self-asserting, as audaciously enterprising, as ambitious, as shrewd in commercial ventures, as greedy for money, and as lavish in spending it, as the Americans are; yet the "first families" among the Athenians were as haughty as Spaniards, as exclusive as the old French noblesse, and bragged of their ancestry as absurdly as Scotchmen do. If a loud-voiced, bawling demagogue came to the front by sheer force of will and impudence, his political opponents never allowed the populace to forget that he was brought up in a tan-yard. Demosthenes gives point to his most withering sarcasms against Æschines by reminding his audience that he was the son of a school-mistress, and had to scrub the ink off the desks at which his mother taught the dirty little urchins; and who that has read the "Clouds" can forget Strepsiades's doleful lamentation over his fatal mistake in marrying a fine lady with a pedigree, and begetting a son who did not take after his father? There must be an aristocracy in America who stand upon their birth

rather than their mere wealth, yet how little we hear of them. What recognition do they receive? How is it they so seldom come to be leaders? How is it that Hyperbolus seems to push aside Cimon, and Cleon is quite too much for Alcibiades?

It used to be said that no two Englishmen could be found to maintain a conversation together for five minutes without one asking the other what he thought of the weather. It is true still; but there is another question that of late years has become the stock question when two people meet one another, and that is, "When are you going away?" If a man replies boldly that he is not going away at all, he is looked upon as the very impersonation of eccentricity. "Not going away! Why, what are you going to do?" This "going away" means leaving our country-houses when the flowers are in their splendor and all nature bids us stay where we are, and starting off for Norway or Switzerland to spend our money among strange faces, drink bad wine, get in late for *table-d'hôte* when we are faint and weary, or find ourselves five flights of stairs from our pocket handkerchief in a towering edifice without a lift. But go where we will, we are sure to find ourselves not two chairs away from American tourists; they are everywhere. Sir James Ross used to say that if ever he reached the North Pole he would be sure to find a Scotchman sitting upon it. I don't know what has become of all the Scotchmen; they and the gypsies have grown rarer since I was a boy; but you can never escape from Americans. Of course there are Americans and Americans; they differ from one another as much as any other people do, as much and no more; but this is true of all the transatlantic tourists, they are abundantly supplied with money, and they do not grudge spending it; in fact, if we were to judge by the Americans we meet with in Europe, we should be forced to the conclusion that all Americans are rich, even very rich. But when I have asked them how clergymen and doctors and lawyers and elderly people with strictly limited incomes live in the United States,—such people as among us live in comfort with a couple of female servants, or even keep a pony chaise,—I have found my tourist acquaintances very much amused at my supposing that in America helps could be got to stay in such a household. "Are there, then, no small people in America?" I have asked. The answer has been more often than not, "If there are, we don't know them."

It is obvious that quiet, domestic people of small means are not to be met with among tourists at luxurious hotels, and equally obvious that such people are hard to get at by travelers who are themselves birds of passage. When a householder is living very near the wind, he does not like to expose his small economies and humble ways to a stranger; and because he is living a quiet, unostentatious life, he has little to offer to those whose occupation is seeing sights. But any man or woman who wishes to gain some insight into our domestic life may easily obtain it if he will but take the trouble to read our works of fiction. Our novelists come from the middle classes, not from the rich or leisure classes, and they speak as they do know. They tell us all about the habits and sentiments and ways of talking among clergymen and doctors and farmers and millers and clerks and shopkeepers in England; they show us the good and the bad side with equal impartiality, and no more faithful delineations have ever been made of the inner and outer life of the lowest struggling classes than are to be found in English literature. But if we want to get an insight into the *morale* of such people in America, we do not know where to look for it. Such a character as Kitty Ellison in Mr. Howell's "Chance Aquaintance," whose heart is with Uncle Jack and his anxieties and troubles while she is enjoying all the gayeties and luxuries that wealth can bestow, is a rarity in America; and, moreover, all the people one meets with in Mr. Howell's stories are away from home. In the "Biglow Papers" one does now and then get a hint that there are shrewd farmers and hard-headed country folk somewhere in the States, who do not wander very far, but one never gets to know them. That exquisite story of Mr. Stockton's, "Rudder Grange," as far as I know, occupies a unique position in American literature, and has for many of us lifted the veil from a whole world of little people across the Atlantic, of whose very existence some on our side the water had almost begun to entertain doubts. Yet we are in the habit of thinking that it is precisely among these people that we must look for the real heart of a great nation, and that the pulse of every great nation is to be felt among them, if at all.

But of all subjects of inquiry that a thoughtful Englishman could set himself to work at, the most instructive, the most suggestive, would be the effect of perfect equality between the vari-

ous religious bodies upon the philosophic speculations, religious sentiments, and ethical convictions of the American people. In England there is one Church by law established, and they who separate from the communion of that Church are all classed together as dissenters. That there should be anywhere on the face of the earth a condition of society where there can be no such thing as a dissenter, is a thought extremely difficult for some good folks here to grasp. But much harder is the other notion, which I presume is familiar enough to Americans, that there should be anywhere no sects. No dissenters, because no predominant or paramount Christian organization that rejoices in the "most-favored-nation" clause. No sects, because no Church recognized as *the* Church from which the other religious bodies have cut themselves off. That there should be no bigotry and exclusiveness, no *odium theologicum*, no fierce rivalry, no proselytizing, in America, as everywhere else, is inconceivable. Theological disputants will cease to wrangle when lawyers learn to love one another as brethren and doctors differ without asperity; but among us the situation is extremely embarrassing as between the Church—for with us it is *the* Church—and the non-conformist, that is, with those who will not subscribe to our Church doctrine, accept our formularies, or conform to our liturgy. Here we have a standard by which we try all other Christian bodies, and we pronounce them more or less orthodox or denounce them as absolutely unorthodox, in proportion as they approach or depart from this standard which is tacitly accepted among us as the established standard. If there were no Church of England by law established, I believe that a vast number of people would find themselves quite dazed, quite lost. To them it would be practically pretty much as if we were all to awake some fine morning to find that the Home Secretary had shut up Greenwich observatory and run away with the key, having previously taken measures to stop all the great clocks in the land. We should all of us be going by our own watches.

Yet somehow in America every man goes by his own watch; and if nobody is right, nobody else is likely to consider himself hopelessly wrong. Here the social position of the clergy of the established Church is something quite peculiar. There is no need to dwell upon the fact, but that it is a fact there can be no

doubt. The result is, that the attitude of the clergy* toward all the religious teachers has always been exclusive; there has never been any cordiality, and very little coöperation. I do not say this is not deplorable; I am concerned with facts only. A supercilious tone is so habitually natural to the clergyman when speaking or dealing with the dissenting minister, and a tone of soreness, jealousy, and suspicion on the part of the minister toward the clergyman seems to us so inseparable from their relations one to the other, that we in England can hardly bring ourselves to believe that the Episcopalian and the Independent, the Wesleyan and the Primitive Methodist, could meet on absolutely equal terms, just as officers of two regiments in the same army can meet at mess and fight valiantly side by side against the common foe. Every now and then we get one of those necessary evils, the religious newspapers, sent us by kind friends from America, or we catch a glimpse of an American bishop or Episcopalian popular preacher. Was it only a dream, or have I really, actually, in the flesh, once met with an American archdeacon? But from these exalted personages and their organs surprisingly little is to be learned; and I observe that an ecclesiastic, let him come from where he may, is a shy creature, ready enough to listen, but not to talk. He puts himself on the defensive, and is so very much afraid of committing himself that you are apt to retire into your interior, too; just as I have observed two snails meeting on their evening walk; one at the approach of his brother shuts himself up in his shell, and the other tickles at him with his horns for a little while, but ends by accepting the situation, and shutting himself up also. Result, to all appearance, nothing but two unoccupied snail-shells, inhabitants having retired from publicity.

I cannot believe that even in America the priests of the Roman Church would ever assume any other than a haughty bearing toward all other Christian teachers. Theirs is either *the* Church, or it is nothing. But how do all the rest behave to one another? Are they all, in point of fact, merely ministers of

*It has been only of late years that any Christian ministers other than those ordained by the bishops of the Church of England have been called "clergymen" among us. The non-conformists were always called "ministers" or "preachers." I find myself driven to use the words "clergy" and "ministers" in the old way, to avoid conveying a wrong impression to my readers.

their respective congregations? How about proselytizing? It is comparatively easy to draw up a constitution that shall keep up a certain amount of discipline among the officers of any force; but it is quite another thing to keep control over the rank and file when they are all volunteers. Such a regiment as that famous one of Artemas Ward's, "composed exclusively of commanders-in-chief," would hardly be found a successful organization in the church militant. Are the clergy of all denominations held by all denominations in equal esteem? Do they "love as brethren," or do they bite and "devour one another"?

These are some of the questions I find myself continually asking when I turn my thoughts toward the magnificent country and the great nation on the other side of the ocean. I do not believe a man could get any answer to them, satisfactory to his own mind, except by personal observation. He must for a time live among living men, and see them at their daily tasks, to understand their life even a very little. It is too much the habit of travelers to take their theories with them. I, for my part, have none. If I ever carry out the wish of my life, I shall start as a naturalist does who goes to make collections — with empty cases, note-books, and apparatus — not too ready to generalize, but very anxious to learn. The probability is, I shall never go at all. But others more fortunate than I may, perhaps, be able to enlighten my darkness and inform my ignorance, and it may happen that the hints I have thrown out may be suggestive to them.

As to the big cities, with their colossal warehouses and enormous trade, their gigantic hotels and prodigious growth, they possess for me no attraction. There is something dreadful to my mind in losing my personality in a surging multitude and being absorbed in a crowd. To find myself unable to hear my own voice because steam-hammers are pounding all round me, and iron wheels are keeping up a ceaseless din, annihilating articulate speech,— that seems to me horrible. I shrink from these things. I should be found creeping into out-of-the-way places, prying into schools and colleges and universities, begging that nobody would notice me, while I might be permitted to notice everybody. Sometimes I should put very impertinent questions about the wonderful endowments that I hear Americans believe in firmly, just when we are beginning to

have lost our faith in their value. Sometimes I should even venture to inquire about the war — *the* war — the one war that reflected only imperishable glory upon both sides — the one civil war in the world's history that ended with the grandest of all triumphs, freedom to the oppressed, without one single act of vengeance inflicted upon the beaten side. Sometimes — but I am in danger of treading upon perilous ground, in danger of saying too much, in danger of making some one growl out suspiciously, "When you do come, if ever you do, you'd better keep out of my way!"

A few days ago, I was turning over an old volume of "Punch," when I was attracted by a cartoon that may be familiar to some of my readers. A mighty coal-heaver, his day's work done, is leaning against one of the many posts to be found in the region of the Seven Dials, his hands in his pockets, his lips pipeless, his eyes staring at vacancy. By him stands an exquisitely dressed clergyman, tall, slim, gentle, refined, who has blandly laid his extended hand upon the other's brawny shoulder. Says the clergyman, "My friend, I want to go to Exeter Hall." Says the coal-heaver, "Then why the dooce don't you go?" Was it that the good man did not know his way? or was he suffering from a little tightness in the chest?

AUGUSTUS JESSOPP.

THE PHILOSOPHY OF CONVERSION.

ALL religious people believe in a new life as the condition of spiritual peace and contentment, of that tranquility of soul in which is supreme felicity. Whatever may be their philosophy of the matter, the substantial facts are evident The predominance of desire over duty, of passion over principle, of impulse over disciplined character is before our eyes every day. The distance between the sinner and the saint, between the willful man and the man whose will is consecrated to universal ends, is a gulf which cannot be filled up by any rubbish of ordinary good sense. Many years ago, an extreme rationalist, a Unitarian of the school of Theodore Parker, an advanced transcendentalist, spoke of "sacrifice" as "the all-sufficing joy" in language glowing with emotion. Jonathan Edwards could not have surpassed in conviction this teacher of naturalism undisguised and triumphant. They who have thought much on the subject, have read what the theologians said, have pondered the texts of scripture, have looked at the commentaries, and have analyzed the processes of experience, are little wiser than the rest of mankind. When the professor in the divinity school taught us that the meaning of the Greek word μετανοειτε — which the common version translates "Repent ye" — was exhausted by the rendering, "change your minds," a veil seemed to fall from before our eyes. The mystery was withdrawn. The whole "change" was reduced to the level of common experience. The process was a purely mental one, going on within the domain of intellect, and no more inexplicable than other modifications of thought. But a moment of reflection was enough to make it clear that this merely verbal suggestion threw no light into the recesses of the problem. Even Mr. Andrews Norton's substitution of the word "reform" for the language used in King James's version, did not help one out of the difficulty. Nothing is more incomprehensible than

the moral process of reformation. To change one's mind permanently and resolutely; to take a new view of human nature and human life, of Providence and duty, of the world of causes and affairs; to turn about and face in the opposite direction, is an altogether unaccountable thing. The consequences of it are momentous; the motive powers that lead to it are concealed. Why does anybody do it? How is the event brought about? The questions cannot be answered; the problem cannot be solved. Possibly, at some future time, when the spiritual laws are understood, when the modes of action in the nervous system are scientifically traced out, we shall be able to reach some rational conclusion on this subject. But at present we are in the dark. Evangelical doctrines do not bridge the chasm, or tell us why the lightning flash, the example, the book, the sermon, the word spoken in public or private, wrought such great effects in particular instances, while in other cases they were so utterly inoperative. The assumption of supernatural influence makes the matter no clearer. To jump at a theory is not to explain a fact. The efficient cause is as remote as ever. To say that God keeps his own counsel and does what he has a mind to, is simply to throw the mystery further back, and to evade a difficulty that cannot be confronted. No question is answered, and another theme is introduced no less intricate than the one immediately in hand. The abyss is simply deepened. Problem is heaped on problem, yet the original problem is as far from solution as before; if possible farther, for mystification is added to profundity.

> "Draw, if thou canst, the mystic line,
> Severing rightly his from thine,
> Which is human, which divine."

The anxiety that is associated with this phase of religious experience has been made intense by the Protestant system of religion in which the present generation was instructed. This system swept away at a stroke the appliances by which the Church of Rome sought to effect a reconciliation between the soul and Christ, and substituted an inward experience for an outward observance. To make this consciousness vivid, it was necessary to present a sharp contrast between the state from which one was delivered and the state into which it was desirable that one should be brought. The merciful provision of purgatory was removed. The misery of the earthly lot was

exaggerated, the blessedness of heaven was exalted. The condition of the sinner was painted in the blackest colors. Horrors were heaped around the bed of death. Hell was made more dreadful, and was stretched over a larger expanse. Human nature was described as being utterly depraved. Human occupations were pronounced useless, if not worse than useless. Human virtue was suspected. The possibility of natural goodness was called in question. Motives were subjected to cruel suspicion under an assumption that

"The trail of the serpent was over them all."

The devil was presumed to be active everywhere and to have a hand in all that transpired among men. The tempter was omnipresent, sure of the sinners, trying to get possession of the saints. There was no release from the duty of incessant vigilance. The business of introspection could not be suspended for a single moment. The soul was always diving into itself, taking itself to pieces, examining its own condition, debating whether it belonged to Christ or to Satan, doubting whether it was a candidate for heaven or for hell. The wound of sin was kept ever open. It was impossible to forget. To be glad was impious. To be easy-going, natural, careless, gay, was wicked. Animal spirits were proof of guilt. There was no instinctive happiness, no spontaneous felicity, however much appearances might indicate the contrary. This old-fashioned analysis of motives may be correct; possibly there may be no such thing as pure disinterestedness in the world (though some cases occur which look astonishingly like it, as for example the conduct of the chief engineer of the "State of Florida," and the heroic behavior of responsible sailors at wrecks); but this need not trouble us if we dismiss the notion of a standard of supernatural excellence, and of the final condemnation of all who do not attain it. So long as our estimates of virtue are based on visible facts no confusion need ensue; it is only when it becomes a pious duty to discredit entirely human goodness that one demurs.

Such overstatements as have been mentioned, with others like them, are unavoidable. They are simply essential to render startling the opposition between nature and grace. This is not the place to enter into metaphysical or theological discussions, or to give a history of opinions; but it is timely to say that such exaggerations cloud the issue they pretend to elucidate. They

raise many queries, but answer none. To speak of proving an overstrained doctrine is to misapprehend the point presented. That it is overstrained is evidence of its unreasonableness. It cannot be maintained that religious men, without regard to their race or creed, entertain the "evangelical" faith in regard to conversion. The argument from scripture is vitiated by several considerations. The assumption of scriptural infallibility is fatal to it at the outset. The fact that scripture texts are differently interpreted vitally affects the immediate question. The circumstance that theological prepossessions may determine the meaning attached to texts—that the reader's thought may be imposed upon passages in the Bible, is of prime importance in getting at the true sense, for to take for granted the truth of theological opinions is to prejudge the whole case under debate. The appeal to consciousness is unavailing, for the simple reason that there can be no consciousness except of what is in the mind at any particular moment. The sinner cannot be conscious of the experiences of the saint, or the saint of those of the sinner; and neither can be conscious of the passage from one condition to the other. Besides, the consciousness of both sinner and saint may be artificial, the misery of the former, the ecstasy of the latter being magnified to meet the requirements of the creed, which must not be received in advance of demonstration. The natural feelings of men have been so completely overlaid that it is impossible to discover them. Not until one puts aside frankly and altogether the Protestant idea of a sharp, essential antagonism between the "natural" and the "spiritual" man, can one arrive at a scientific estimate of the value of moral conduct; and this implies a radical change in the method of judging character, an absolute rejection of the cardinal principles which underlie the Protestant system of religion as well as of theology.

The Roman Catholic theory is more gracious to human nature. Of course it starts from the same points. The perfection of Adam before the Fall, the inspiration of scripture, the need of supernatural grace, the contrast between nature and spirit, are all accepted as first truths, beyond denial or dispute. But this being conceded, the doctrine of conversion is more reasonable. There is more definition, more qualification, more allowance of psychological facts, a closer approximation of natural and supernatural goodness, an extension of the time of probation, an increase of the "means of grace," an absence of the

prying curiosity, which is the great tormenting feature in the Protestant system. Its inquisition, however fiendish, is not spiritual, nor are its visible flames as cruel as the self-torturing fires that Protestants kindle and exult in as tests of the spiritual life. Has one duly considered such agonies as John Bunyan — to name a man whom all have heard of — encountered? This kind of *auto da fé* Romanism does not encourage; and is, so far, in accord with a rational view of goodness.

The Council of Trent declared that man preserved all his natural powers after the Fall, having lost the benefit of the divine grace only; that free will remained, "not wholly extinct, though weakened and bowed down." "All men lost innocence by Adam's prevarication." Anselm taught that original sin consisted in the privation of righteousness; Augustine, that its essence was concupiscence. Saint Thomas Aquinas, on the whole, agreed with Anselm, and maintained that concupiscence alone was not sin, but must be joined with unrighteousness — that is, with evil purpose — to constitute sin. Aquinas, too, contended that natural happiness was possible to unbaptized infants. Romanism did not proscribe the pursuits or the pleasures of this world, but in as far as they were simply natural, smiled on them. In a word, man was left as he was, it being assumed that by supernatural aid alone could he attain his full stature as a "spiritual" creature, or enter into cordial communion with God. The Romanist insists on human inability, on the shortness of man's tether, on the limitations to all mortal endeavor; and this is an enormous concession, bringing the Catholic doctrine very near to what a scientific psychology will regard as the truth of the case, namely, the imbecility of the will under ordinary motives. Extraordinary motives cannot, as yet, be accounted for, and may be dismissed, at present, from the strictly rational view. That, under existing circumstances, average human nature cannot be expected to rise into transcendent heights of virtue may be admitted. At the same time, at any moment influences may be excited that will lift commonplace characters to the mountain-tops of excellence. It is usually supposed that such influences come only or chiefly to believers in the Christ, to members of the church, to disciples of the accepted creed; but this supposition is altogether gratuitous, inasmuch as those who discard the creed entirely feel the emotions described by the converted who have "experienced religion." People, extraor-

dinary people perhaps, who belong to no religious communion in or out of Christendom, in their philosophy and in their lives attest the reality of interior states of spiritual ecstasy. All people, whether gifted or not in other respects, may enjoy, more or less habitually, these transports, which, whatever be their true explanation, are certainly independent of ecclesiastical and of doctrinal antecedents.

Mr. Ralph Waldo Emerson, in his lecture on "Worship," uses the following language:

"Every man takes care that his neighbor shall not cheat him. But a day comes when he begins to care that he do not cheat his neighbor. Then all goes well. He has changed his market-cart into a chariot of the sun. What a day dawns when we have taken to heart the doctrine of faith! to prefer, as a better investment, being to doing, being to becoming, logic to rhythm and to display, the year to the day, the life to the year, character to performance, and have come to know that justice will be done us; and if our genius is slow, the term will be long."

The same writer, in the lecture on "Fate," says:

"The revelation of thought takes man out of servitude into freedom. We rightly say of ourselves, we were born, and then we were born again, and many times. We have successive experiences so important that the new forgets the old, and hence the mythology of the seven or the nine heavens. The day of days, the great day of the feast of life, is that in which the inward eye opens to the unity in things, to the omnipresence of law; sees that what is must be and ought to be, or is the best. This beatitude dips from on high down on us, and we see. It is not in us so much as we are in it. If the air come to our lungs, we breathe and live; if not, we die. If the light come to our eyes, we see; else not. And if truth come to our mind, we suddenly expand to its dimensions, as if we grew to worlds. We are as lawgivers; we speak for nature, we prophesy and divine."

Mr. James Parton, a man of different mental constitution from Mr. Emerson, a man who breathes a different intellectual atmosphere, in his biography of Benjamin Franklin, has a chapter entitled, "Regeneration," in which he discusses his subject's spiritual condition, and gives his own explanation of it. Dr. Franklin, as we all know, was not a saint. He was not what might be called an angelic man. He was not a church member. He was by no means "evangelical" in his belief. As a youth he was a deist, nor is it probable that he ever wholly discarded the belief of the unbelievers. The litany that he composed at the age of twenty-two does not read in the least like the litany

of the Episcopal Church. But he lived in the main according to rational principles, soberly, sedately, continently, humanely. He preferred reason to impulse. His was a life of usefulness and of service to his fellow-men, not an emotional or ecstatic life (his temperament did not allow that), not a life of interior joy, not a life of contemplation or of spiritual experience; but an honest, well-intentioned, high-purposed life, pitched on an elevated key. I think we should have reason to congratulate ourselves if the majority of men were as good as he was, were actuated by motives as generous and noble, were so enlightened in their self-love.

Is not this the substance of the matter? Do not Mr. Emerson's words convey the entire truth? Allowing for differences of temperament and susceptibility in men, and for various modes of expressing the same feeling, can we declare that the supremacy of reason over instinct is not all that is essential to the doctrine of conversion? And if imagination be added to intelligence, have we not all the conditions of vital experience? If the whole be suffused with emotion, a state of transport is possible. The history of St. Charles or of St. Francis might easily be reproduced among infidels, for all the higher degrees of conviction are included in such supremacy. There is heroism in it; there may be martyrdom. Self-forgetfulness, self-denial, self-crucifixion follow, each in its order, each according to disposition. The delight of consecration belongs to those who know it. The vision of the saint is within the reach of expectation. This faith in reason lends wings to the feet, and bears men toward the empyrean. Let a man begin by paying his debts, and he will never end. Before he has paid all his debts, his debts of honor, of love, of gratitude, he will be ripe for canonization. We shall have to tie weights to his ankles in order to hold him down to the earth. It may be thought that the majority of mankind would not attain to any degree of this high state without the aid of their present religious belief. But the majority of mankind do not attain to it, as it is; do not try to attain to it, do not believe in it, rather doubt the desirableness of being insane after this fashion, more than doubt if any such condition of experience is attainable by rational means; and it might be well to drive believers from their refuges into the open air of rationalism, which is, at least, bracing and wholesome. It is something to know one's deficiencies; it is commonly the first step toward

any moral advance. The faith that hides people from themselves is no advantage; it may, on the contrary, be a grave disadvantage, even to such as have nothing else.

Is not this an illustration of the value of substance over form? The Church of Rome, trusting to its seven sacraments, which covered the whole expanse of human life and were presumed to convey the supernatural grace of God, was satisfied when people joined its communion, availed themselves of its aid, went to mass, attended confession, performed such other ecclesiastical duties as were required, and, beyond the probing of the confessional, was not disposed to make inquisition into the interior state of the soul. This left the natural bent of the constitution comparatively free to follow its own destiny. The danger was lest people who had little spiritual aspiration might think they had made effort enough when they had gone through the prescribed round of exercises, and might give rein to their animal propensities without remorse or shame, taking for granted their security in the possession of the good offices of the church. This peril was exemplified in the private history of even popes and priests, to say nothing of ordinary men and women. The Protestant churches, urging the necessity of personal faith in the Redeemer, stimulated to the utmost every tendency toward religious elevation, and made the most of every heavenward wish; but they incurred the risk of confounding natural with spiritual impulses, of promoting a morbid habit of self-examination, of persuading saints that they were sinners and sinners that they were saints, and of thereby inflicting hideous sufferings on sensitive spirits. These dangers have been frequently indicated, so that it is unnecessary to dwell on them here, and everybody who is at all familiar with the biography of either ministers or laymen has had abundant evidence of the reality of them. The earlier Unitarians were too incessantly occupied with controversial questions to formulate any definite belief on this subject; but they were good Protestants in substance, and had no doubt in regard to the need of divine grace for carnal men. Their tendency, however, though they did not suspect it, was toward naturalism; and when this was arrived at, under the name of transcendentalism, an effort was made to extract from simple human nature all spiritual possibilities, and to substitute development for conversion, moral progress for moral regeneration, the spontaneous unfolding of the soul for its creation by

superhuman forces, allowing temperament to color experience. There were no such enthusiasts for spiritual perfection as the transcendentalists. They were persuaded that the highest attainment was within the reach of every-day humanity, and they persevered in their faith in spite of tremendous discouragements.

The danger, for an instant, seemed to be from an excessive enthusiasm. There was enthusiasm, even fanaticism, in the Romish Church, but it was confined to a small number of sensitive souls who were excited by the promise of celestial felicity. Protestantism, taking religious exaltation out of the domain of natural impulse and limiting it to an elect few, confined within a small compass the explosive forces of the overheated mind. The safest organization in christendom is probably the Episcopal Church, for it is a combination of what is best in the Romish and Protestant systems, and in it is applied a gentle heat like that which Sir Kenelm Digby thought so efficacious in awakening to life the ashes of flowers. I allude, especially, to the so-called "Broad Church," whose welcome to every kind of culture, whose indifference to the current topics of theology, and whose spiritual conception of the Christ entitle it to be ranked among the educators of the generation. The stimulus applied to human nature by the first transcendentalists led immediately to enterprises for the reconstruction of society that were characterized rather by zeal than by wisdom, the history whereof is written in many books, the noise whereof filled the air forty years ago. Since then that enthusiasm has died away. The new doctrine was too subtle for the average intellect to grasp, the new demand was too lofty for the average conscience to meet, and an ebbing tide is visible where formerly the channels were full. The "Religion of Humanity" now threatens us with a species of fanaticism under another shape, namely, that of self-immolation in the service of mankind. The theory of "altruism"—the devotion to others—points directly to sacrifice as the duty of the individual, and inflames the dispositions of the generous of heart. But the generous of heart are not many, and this impulse is soon spent.

The temptation, however, is almost irresistible to compress "humanity" within the lines of a particular era, to make a short episode in the history of a country identical with the moral experiences of the race, and to confound an incidental

administration of affairs with the permanent order of a government; hence an accession of passionate feeling that would be impossible to any broad, historical view. In the immensities of time all convulsions die speedily away, and an infinite calm reigns over the surface of the great deep; but they who attempt to navigate the shallows are exposed to tempests. Reading Stepniak's "Underground Russia" I was deeply impressed by the heroism of the men and women whose conduct is described there. These were people who regarded all religion as a degrading superstition, who believed in neither immortality nor God, who held no high ideal of personal attainment in this world, who were not mystics or dreamers of any sort, but were simply disciples of an absolute nothingness; yet they manifested a power of consecration greater than the sainted Romans displayed, thus proving again, if more proof were needed, that the grand qualities of the hero and the saint are independent of creed. The narrower these Nihilists were, the more intense was their earnestness, the more consecrated and deadly their resolves. The broad stream flows slowly, but may be navigated. The compressed water is too violent to be crossed by boat or swimmer.

But there are exceptions to the general rule of apathy which prevails among mankind at large. It cannot be said that the majority of men are fanatics or enthusiasts. How to stir the inert mind of the community is still the problem; how to set the multitude thinking, how to bring in the day when one cares that he do not cheat his neighbor, and so may change his market-cart into a chariot of the sun. The Church of Rome has done what it could through the fidelity of its priests, the eloquence of its divines, the examples of its holy men and women; the Protestant churches have made prodigious efforts through their preachers and pastors, and through the energy of "revivals." But all this is of very little efficacy, to say nothing of the strained, unnatural character of the improvement gained. The object to which the modern world bends its efforts is the elevation by rational, human means of the ordinary faculties of mankind, the calm, steady, serene progress of society. This process of education is going forward faster than most suspect. The consciousness of imperfection, the painful sense of imbecility, the craving for increased opportunity, the demand for more privilege, are symptoms of a general discontent pointing

to fresh reformations. The aspect of human misery, the bitter struggle for existence on the part of large numbers in every town, the feeling of injustice on the part of many, are acting as sharp spurs to produce a change of moral as well as of material condition. The spread of education, the diffusion of intelligence by the press, the multiplication of libraries, add every year to the sum of mental forces, and increase the balance of mind over matter. The practical knowledge required in the useful arts, the economies demanded in the home, the growing sentiment of repugnance toward intemperance, the diminishing power of vice in influential quarters are all signs of a rising humanity. Art is becoming an ideal element. The study of science is interesting the people. The opening of galleries and gardens will, in due time, shut up a great number of dram-shops. A taste for unseen things will, it may be hoped, one of these days, extend from the cultivated class to the uneducated. One may even anticipate the era of religious exaltation, when the solemn order of the universe, the procession of law, the absolute reign of harmony, the power of wisdom and love in great souls, will fascinate living minds and touch spiritual natures that are now asleep. Should that hour ever arrive we shall hear less of "conversion" and more of advancement; less of "supernatural grace," but more of the natural possibilities of man to arrive at the highest states.

O. B. FROTHINGHAM.

THE ORIGIN OF YELLOW FEVER.

YELLOW FEVER has been the subject of some of the most violent controversial storms that have ever ruffled the surface of medicine. Whether the fever was contagious or non-contagious, whether it was imported or bred on the spot, whether it was a peculiar kind of specific fever, or only a severe form of malarial fever,—these are some of the questions that have been hotly debated, and nowhere more hotly than among the medical men of Philadelphia, in the life-time of the great Dr. Benjamin Rush. It is now possible to look at these controversies in the perspective of history, and fortunately it is possible for most of the Atlantic cities of the United States so to regard the disease itself. The discussions as to its nature and origin and its mode of conveyance are no longer in the acute stage of violent and irreconcilable antagonisms. The air is cleared, and the chaos has fallen into something like order; and if there are still various hypotheses of the origin of the fever, there is almost complete agreement as to all its associated circumstances, or its natural-history characters among the species of disease. No single work has contributed so much to the modern disentanglement as the two volumes of elaborate inquiry and dispassionate statement brought out by Dr. La Roche, of Philadelphia, in 1855, a work that reflects the highest credit on American scholarship and research.

But, although Dr. La Roche has carefully gone over the whole ground, and sifted and scrutinized everything that has turned up, through sixteen hundred closely printed pages, it appears to my humble judgment that he has somehow never caught the sparkle of the gem that he was seeking for. The secret of yellow fever, it seems to me, is contained in the almost forgotten essays of Audouard. La Roche quotes the title of these among the innumerable other books and pamphlets; but I

find nowhere in his pages any evidence that he had mastered the facts of Audouard's argument, or duly weighed its conclusions. Dr. Audouard failed to secure the *imprimatur* of the French Academy of Sciences for his various essays on yellow fever, and the neglect of them is one more illustration of the fact that the world is too busy to form its opinion at first hand on a question. My attention to Dr. Audouard's theory of yellow fever was first attracted by finding it described in Prof. Hirsch's well-known treatise on Geographical and Historical Pathology, which was then coming out in English, as *eine der abenteuerlichsten Hypotheseis.* Stimulated rather than deterred by this damaging epithet, I procured the book from the library of the Royal Medico-Chirurgical Society of London. The library owed its copy to the mindfulness of the author himself, according to an autograph letter pasted within the cover, and bearing date, April 11, 1825.

Dr. Audouard's letter, a folded quarto sheet, now yellow with age, is a well-written appeal to academical medicine in England to give its best attention to the very serious facts that he had discovered when inquiring officially into two of the Spanish epidemics of yellow fever in 1821 and 1823. At Barcelona and Passages respectively, in these years, it had struck him with peculiar force that the fever had issued from the holds of ships that had been employed in carrying negro slaves from the west coast of Africa to Havana, and had returned to Spain with West Indian produce.

"Cette conformité d'origine dans deux cas différens, me porta a faire des recherches à la faveur desquelles j'ai trouvé le moyen d'expliquer tout ce qui, jusqu' à present, avait été obscur et inexplicable. . . Ces memoires contiennent des idées nouvelles auxquelles je n'en doute pas, vous ne refuserez pas votre attention; et si elles vous paraïssent propres à seconder les vues de votre gouvernement relativement à la traité des noirs, vous vous en expliquerez franchement afin de vous montré favorable à l'humanité d'une double maniere, savoir; en travaillant à abolir l'esclavage des noirs, et en preservant la race blanche de la fièvre jaune qui est le resultat de ce trafic."

Like every one who trusts to ideas making their way by their inherent force, Dr. Audouard was much too sanguine when he wrote: "Je n'en doute pas, vous ne refuserez pas votre attention." It soon became apparent, as I proceeded to glean the "idées nouvelles," that not one officer or fellow of the society in all those years had taken the trouble to cut the leaves. The fact

was, the terrible yellow-fever epidemics that ravaged the Spanish ports and threatened the rest of Europe in the beginning of the century were already over, and Europe was all the more ready to forget its danger from the Western pestilence in its preoccupation with a new enemy, the cholera. But the interest in yellow fever is still real for the Western Hemisphere, and it seems to me to be desirable for both theory and practice that Dr. Audouard's facts and reasoning should receive full attention.

If we take a sketch-map of the world and color on it the places where yellow fever has been most prevalent at one time or another, we shall find that they group themselves in a very significant manner. The whole continent of Asia, the cradle of so many great pestilences, takes no share; Africa does not concern us, except for two or three small spots on the western coast; no part of Europe has to be colored in, except certain ports of Spain and Portugal. Our spots of color are nearly all on the American side of the Atlantic, and they are but minute points on the coast. Yellow fever is a pestilence of certain shipping-places, and particularly of their harbors, wharves, and sailors' quarters. Now and then it has penetrated beyond the sea-port or the banks of a navigable river, as in the great epidemics in Spain in the beginning of the century; but the circumstances were those of exceptional virulence of the poison and exceptional panic among the people, and they serve rather to show how remarkably uniform the behavior of yellow fever has been, on the whole. While Barbadoes and Antigua have a healthy climate, Bridgetown and English Harbor have been notorious for the epidemic of yellow fever. It is not all Cuba, but Havana; not all Hayti, but Port au Prince; not Martinique, but Port Royal; not South Carolina, but Charleston; and not Pennsylvania, but Philadelphia.

Putting together these singular facts of geographical distribution, and adding what we know of history, we are led to the conclusion that the ports of yellow fever are mostly the old ports of debarkation in the slave-trade, the first authentic epidemics having occurred shortly after the first arrivals of slave-ships in the West Indies. The pestilence first showed itself at Bridgetown in 1647, twenty years after the English began to plant there; and we know from an authentic document that in 1650 there were at that place flourishing sugar-plantations well stocked with negroes. The "new disease" took every one by surprise. It

was "an absolute plague, very infectious and destroying," says Mr. Vines, writing to Governor Winthrop, of New England, "insomuch that in our parish there were buried twenty in a week, and many weeks together fifteen or sixteen." Mr. Vines thought it was a punishment for the sins of the people, that it was "the Lord's heavy hand in wrath"; and Captain Ligon, who came out from England while it was raging, believed that it was somehow connected with the arrival of ships. The "Pere Dutertre" says it was "une peste jusqu' alors inconnue dans les isles," and that it carried off one-third of the inhabitants of St. Kitts in eighteen months. During the two centuries following, it has become endemic at many ports, and these are the places at which slave-ships have either discharged their negroes, or gone in ballast or with merchandise on the round voyage. The one considerable exception is the Peruvian coast, where yellow fever appeared first in 1853. I am prepared to deal with that exception and with others, if space permitted; but it must suffice to say here that the people of Callao, for some reason, blamed the arrival of filthy ship-loads of Chinese coolies, who had suffered terribly from dysentery; that the Chinese in Lima are said to be almost as much protected against yellow fever as the negroes on the Atlantic side; and that the Chinese coolie trade, from 1847 to 1856, was carried on by "ships badly equipped and overcrowded, and on their voyages they reproduced all the horrors of the 'middle passage' in the old African slave-trade."—("Encyclopædia Britannica," Article "Coolie.")

If the association of yellow fever with the ports of debarkation of the slave-trade were absolutely invariable, I should regard it as a suspiciously neat result. A certain small margin of exception is a healthy sign in any hypothesis. The broadly impressive fact remains that yellow fever has been, both in place and in time, a close attendant on the slave-trade; that it has followed its rise and its decline at a given place, although it has survived longer at some points than at others; and that its exacerbations have coincided with the most lawless period of the traffic. What is the meaning of this association between the importation of slaves and yellow fever at the ports of debarkation, between the horrors of the "middle passage" and the after horrors of the landing-place? It is no other than the ancient association between filth and fever; but there is something quite peculiar both in the filth and in the fever.

In the first place, we have to observe that negroes on board slave-ships do not appear to have suffered from yellow fever. Whether any part of the enormous mortality among the white crews of slavers was due to yellow fever, we never shall know. These things were kept conveniently dark, and it took all of Clarkson's persistence to find out that there was any excessive mortality at all. What took place on board slave-ships on the "middle passage" is now as far beyond the reach of exact research as the slave-trade itself is beyond the possibility of revival. But we have several interesting experiences, or undesigned experiments, of the contact of white men with a shipful of negroes, which happened under circumstances that could compromise no one, and have been authentically entered on the medical record. One of these occurred to the late Dr. James Copland, author of the "Dictionary of Practical Medicine," and it sufficed, along with observations made subsequently, to start Dr. Copland's mind in the train of reasoning that Audouard was to follow independently a few years later. He says:

"A small vessel, in which I was a passenger, was anchored, in May, 1817, a short distance from Sierra Leone; and the ship's boat, with four of the crew, was bringing me on board, when, a tornado suddenly overtaking us, we took shelter on board a ship recently brought into the harbor full of slaves, and near which we were at the time. The men belonging to the boat took shelter down between decks. I remained under a small poop on the quarter-deck. All these men in two or three days were seized with this distemper [yellow fever], the vessel having just put to sea, and I escaped. The sick men were constantly kept on deck, free ventilation was enforced, and every possible precaution used, and no more were attacked. The organization of the negro, and the more extensive functions of the skin of this race as an excreting organ, give rise to the most offensive and foul state of the atmosphere when numbers of this race are confined in a limited space, and particularly in a humid and warm atmosphere. Indeed, nothing can be imagined more nauseous and depressing than the respiration of the air so contaminated; and it may further be admitted that it so affects the organic nervous system and the blood as to develop this pestilence. . . . . The above fact, these considerations, and various occurrences or outbreaks of this distemper after communications with slave-ships that have come to my knowledge, induce me to attach some importance to this source of the evil, and to suggest that some endeavor should be made to ascertain the amount of credit it may deserve. . . . . If this opinion as to the probable origin of the infectious poison be not admitted, there is certainly none other deserving greater confidence, and we are left entirely in the dark as to the earliest origination of the mischief."

Dr. Copland's suggestion of direct contact with a crowd of negroes goes only a little way, as he was himself aware; it

needed the somewhat different observations of Audouard (which Copland would seem not to have heard of even in 1858) to furnish a theory of yellow fever that would be wide enough for all the facts. But, before I come to that subject, I shall give two other instances, collected from the naval medical history of the period, to set beside Copland's. The Regalia, British transport, was employed in 1815 in carrying black recruits from the Guinea coast to the West Indies. When on the coast the health of the ship had been excellent, but during the voyage much sickness, chiefly of the dysenteric kind, occurred among the blacks. Thereupon yellow fever broke out with great malignancy, attacking all on board except the blacks, who, from first to last, were exempt from the specific fever. The case of the Regalia is well known, and it used to be quoted as showing that yellow fever was only a form of malarial fever, the malarial miasm in this case having come from a quantity of green wood that had been shipped at Boa Vista. The green-wood theory was always improbable, and the modern disentanglement of yellow fever from malarial remittents deprives it of whatever small probability it ever had. The other case, which I take from Gillespie, is equally suggestive. The French frigate La Pique fell into the hands of the English when Martinique was taken, in 1794, and in November, 1795, was sent with a prize crew to Barbadoes. On the voyage they took two hundred negroes from a French vessel that was in danger of foundering. The negroes were confined in the hold, and in a short time yellow fever appeared among the La Pique's crew, and proved fatal to one hundred and fifty of them, although it did not attack the negroes at all. "Such a mixture of men, strangers to each other," says Gillespie, "has been often found to occasion sickness in ships; and, together with other causes, fatally operated here before the arrival of the ship at Barbadoes. . . . This is a melancholy instance of the generation of a fatal epidemic on board ship at a time when the inhabitants of Barbadoes and the crews of the other ships in company remained free from any such disease."

The immunity of the pure-blood negro from yellow fever has often been remarked, and it comes so near to being a universal truth that its significance cannot be questioned. The full meaning of it will appear from the fact that, at Vera Cruz in 1866, when the soldiers of the French Expedition were dying of yellow

fever by hundreds there was not even a single case of the sickness in the regiment of five hundred black troops that the French had recruited in the Soudan and Nubia. The immunity from yellow fever that the negro of unmixed blood enjoys is, to my thinking, the most remarkable fact in pathology. Here is a race that, in the Western Hemisphere, lives in the very haunts of yellow fever, and yet passes unscathed through an epidemic, while hundreds of whites are dying around them. "In the natives of Africa," says Doughty, a Jamaica physician of the beginning of the century, "the constitution appeared to me as secure against yellow fever as a person who has had the small-pox is against its recurrence." He might have said, as secure as if they had had yellow fever itself.

The explanation of this unique fact is supplied by the theory of Audouard, although that author gave hardly any heed to negro immunity. The poison of yellow fever, said Audouard, comes in the last resort from the discharge of the sick negro; it is generated by the fermentation or putrefaction of the dysenteric and other filth of slave-ships. The scourings of slave-ships had been thrown out at the ports of debarkation to mix with the mud of creeks, careenages, and mangrove swamps, to fluctuate to and fro with the sluggish ebb and flow of the tide, to ferment under a tropical sun, and to taint the soil of the beach, the foundations of houses, and the water-conduits. All this poisonous filth has accumulated most in the very quarters where negroes live, and it is in those amphibious quarters of towns in the West Indies and along the shores of the Gulf of Mexico that yellow fever lingers, and every now and then rises to an epidemic. But it hardly touches the negro; it spares him in proportion to the purity of his racial characters. As the noxious miasmata that give rise to yellow fever have come from the negro body, they cannot poison the negro again. Yellow fever is what Sir Gilbert Blane calls a vicarious infection; it is vicarious to the horrors of the "middle passage." Dr. Audouard's theory thus acquires a certain ethical probability.

The circumstances at the small port in Biscay that first led Dr. Audouard to this conclusion may be taken as fairly typical of the conditions of the origin of yellow fever, not only at other Spanish ports, but also in the Western Hemisphere, and now and then on the west coast of Africa. It is for the most part not simply an affair of white men being in the same ship with

negroes, but of the filth of slave-ships getting into the harbor mud, and the soil where such ships had lain, and through its fermentation becoming a more or less enduring and transportable specific infection.

On the 2d of August, 1823, a brigantine owned in Bayonne, called the Donostiarra, arrived at Passages, a small fishing-place near San Sebastian, to dispose of the remainder of a cargo of West Indian produce shipped at Havana. For two or three weeks the Donostiarra was an emporium for the sale of sugar, tobacco, coffee, honey, bees-wax, etc. She lay on the beach, right before the houses and shops of Passages, being approachable on foot at low tide. When the cargo was all disposed of, some necessary repairs on the hull were begun by the Passages carpenters on the 18th of August. Part of the planking of her bottom had to be renewed, and a piece of new keel put in; and the workmen had hardly begun when they began to fall ill, one after another; and they attributed their illness to a sickening smell that came from the foul bilges of the vessel as they opened them up. It became difficult to get other workmen to take their places, and extra pay had to be offered. Meanwhile two or three of the carpenters who had been first at work died, as well as a custom-house officer, and one or two other persons who had been about the ship. The sickness was one that the people of Passages, as well as the two doctors practicing there, had never seen before. It was evidently spreading in the place, and as a French army lay at San Sebastian, four or five miles away, the Government sent a commission of inquiry. One of the commissioners was Dr. Audouard, who had been sent on a similar mission to Barcelona two years before. The disease proved to be yellow fever, and it attacked more than a hundred persons, chiefly in the houses along the beach, causing forty deaths. The Donostiarra had left Havana in the beginning of June, with a clean bill of health. One of the crew died about the tenth day out, probably from the effects of drinking; and the remaining fourteen of a crew, with five passengers, arrived at Corunna in good health after a voyage of thirty-five days; and all remained well for ten days longer, while the vessel was in quarantine.

It was thus difficult to trace the epidemic at Passages to cases of yellow fever on board. The clue that Dr. Audouard laid hold of was, that this innocent-looking brigantine, supplying tobacco, coffee, sugar, and honey to the Biscayan fishermen,

was engaged in the contraband slave-trade; she had taken out negroes from the west coast of Africa to Havana early in the year, and was now quietly completing her usual round voyage. This discovery led him to inquire again into the facts of the disastrous epidemic at Barcelona two years before, in which five thousand persons had died. It had been traced by common consent to two ships in particular,—the Grand Turc and the St. Joseph,—which had to be scuttled. The fresh inquiry proved that both of them were slavers, and that the dysenteric sickness and mortality among the negroes on board one of them during the trip immediately preceding had been exceptionally severe. These singular coincidences set Dr. Audouard thinking and inquiring. He calculated that sixty or seventy ships were making the same kind of round voyages as the Donostiarra, the Grand Turc, and the St. Joseph; and he concluded that the same circumstances that he found at Passages and Barcelona must have occurred repeatedly at Cadiz, Seville, Malaga, Tortosa, the Balearic Isles, and other Spanish ports where yellow fever had been epidemic again and again, especially in those early years of the century, when the doom of the legitimate slave-trade had been pronounced, and the traffic was passing into contraband hands. He pointed out, also, on the authority of Moreau de Jonnés, that whereas there had been fifty-seven epidemics in the American ports, from Newport down to New Orleans, during the sixteen years preceding the abolition of the traffic in 1808, there had been only seven in the sixteen years following that event, and even these he thought might be due to the trade being carried on by stealth. Dr. Audouard lived long enough to see a still greater decrease of yellow fever on the Atlantic sea-board of the United States, and to see the fever establish itself as a new disease at Rio and other Brazilian ports in 1849, the slave-trade having been diverted to Brazil, when all other countries except the Spanish Antilles had given it up.

In seeking to explain all the outbreaks of yellow fever, it is necessary to keep in mind that it has certain great endemic centers, such as Havana, at which the peculiar kind of filth that causes it has been discharged in material quantities, penetrating the mud of harbors and the soil of low-lying quarters of towns, where it has fermented and its virus multiplied, and has so become a long-enduring—I do not say permanent—source of poisonous miasmata. The poison has been carried from these

harbors over and over again in the bilges of wooden ships; it has entered through their opening seams, and has arisen in noxious vapors to infect the crew; and, as we have seen in the instances that occurred in Spain, it has even delayed its destructive power until it has crossed the ocean and mixed with the shore mud of a distant port. It becomes even more virulent than amidst its primitive mud, when it is sucked up through the planking of a ship's bottom, to ferment in airless recesses of her hold. In this way wooden ships, that have been lying up in West Indian and Brazilian ports, have become sources of danger, even in recent times, to New York, St. Nazaire, and Swansea, and may be sources of danger for some time to come. They are dangerous, because they carry a material quantity of the specifically poisonous filth in their bilges; and it is noteworthy, says Blane, that the fevers arising from this cause "are found sometimes to be contagious and sometimes not, according to the intensity and nature of the effluvia."

I shall mention briefly the most terrible historical instance of ships charging themselves with the poisonous mud of a slave-port. On the capture of Port au Prince, Hayti, June 4, 1794, about forty merchantmen were found in the harbor, most of them large vessels, laden with cargoes of coffee, sugar, cotton, and indigo, which had been lying stowed in them from one to three years. During all that time, many of them had never had their holds opened, owing to the suspension of labor and business during the revolution. English prize crews were put on board to navigate them to Port Royal and other British West Indian ports, and they had hardly put to sea when yellow fever attacked them with unheard-of suddenness and virulence. One of the prizes was picked up by a Guinea man, and every man on board was found to be dead. Even the negroes who were put to clean them out took the fever and died.

Of the prevalence of yellow fever at Havana I need not speak, nor is it necessary to point out that for two centuries slavers that entered that spacious bay might have been counted by the hundred in almost any year. The bay of Havana is land-locked on every side by high hills; it opens to the sea by a single narrow channel; there are several shoals or mud-banks in its recesses, and the tide does not rise and fall more than three or four feet. The experience and reasonings of men who held no theories of

disease taught them that there was something wrong with the sea-water at Havana. La Roche says:

"The water of the bay is often very offensive; all vessels pump their bilge-water into it, and it cannot be changed. It is so full of decomposing materials that the British naval service has a standing order not to use the water for any purpose on board. The United States ship-of-war Macedonian arrived from Boston at Havana, April 28, 1822, with a healthy crew. There was no yellow fever in Havana at the time. Water was let into the hold at intervals between the 28th of April and the 7th of May; when the captain, hearing of the standing rule in the English navy, discontinued the practice. A few days after being let in, the water in the bilges was found to be very filthy and offensive, so much so that, when it was being pumped out, all of the crew except the men required for the pumps were sent either to a distance in the boats or into the tops. The chain-cable, when hove in, was found covered with an offensive gelatinous substance. The first case of yellow fever on board occurred on the 8th of May, and the patient died on the 11th; another death occurred on the 19th, and then the disease spread rapidly and fatally among the crew and officers; and, although the vessel put to sea, she continued to be a source of infection for several months, one hundred and one out of a company of three hundred and seventy-six dying of yellow fever. In this case the putrid sea-water of Havana harbor was the source of yellow fever; and such putridity can have had no other origin than the accumulated filth of hundreds of slave-ships discharged into it for two centuries."

Space does not permit me to give all the evidence that I have put together of this kind. The writings of Lind, Trotter, and Gillespie furnish graphic descriptions of the careenages of Port Royal, in Martinique; of English Harbor, in Antigua; of Bridgetown, in Barbadoes; of Port au Prince, in Hayti, and the like. There is always the sweltering mud, the noxious exhalations, the air kept stagnant by the inclosure of hills, and the English sailors dying on board the ships-of-war like rotten sheep. Speaking of yellow fever at Bridgetown, in 1694, Lind says: "Captain Thomas Sherman, of H. M. S. Tiger, in the two years that he lay there, buried out of her six hundred men, as he told me, though his complement was but two hundred." Again, the same writer says of English Harbor, in Antigua: "The stagnated air becomes so unwholesome that men, after being there a few days, are suddenly seized with violent vomitings, headaches, delirium, etc., and in two or three days more the dissolved mass of blood issues from every pore. In such places the water of the sea itself would probably become putrid, and destructive to the very fish, were it not kept in motion by a gentle flux and reflux, which may be perceived every day." Once

more, Gillespie says of the yellow fever at Port Royal in 1794: "The disease did not make any rapid progress until the ship had remained some weeks in the bay of Trois Islets, where the sultry calms that reigned in August and continued all the hurricane months, the vitiated state of the internal air of the ship, from dampness, foul ballast, the steam of bilge-water, and the like, promoted the spreading of the disease. . . . The contagion, which had been remarked to be active on board, did not seem to be powerful in exciting the disease on shore; few, if any, persons were infected by it on land."

But it wants a great deal more than the natural exhalations of even a tropical harbor, or the mangrove swamps around it, to produce yellow fever. Something has been added to the natural mud of some of those harbors, and that something was the filth pumped out or thrown overboard from every slaver that had arrived during a period of nearly two hundred years. The cleaning out of a slaver after a run from Africa was no ordinary business; white men could not be got to do it, probably because the effluvia did not agree with their health, and the blackest of Kroomen from Sierra Leone were set to the task. But the risk of the whites was by no means confined to the actual cleaning out of the ship's hold. The filth was not by any means got rid of when it was thrown into the water of a land-locked and almost tideless harbor; it entered into the composition of the mud, and even tainted the sea-water itself. The noxious exhalations, or miasmata, which have at all times and in every place been assigned as the cause of yellow fever, are not the natural exhalations of the soil or water, nor can they arise from soil and water fouled by ordinary sewage. The filth that breeds it is the filth of another race, and, furthermore, it is the peculiar filth of the "middle passage."

How long that taint can linger in a harbor's mud, or in the alluvial foundations of houses along the shore, it would be hazardous to pronounce. Certain it is, that the soil of Philadelphia and the mud of the Delaware are long since clear of it, nor is it likely that it still exists to any considerable extent in the soil of Charleston; and we may assume that the Gulf and West Indian ports would not have retained it for so many years after they ceased to receive its annual accretions, but for the sluggishness of their waters. The plunging tides of the Atlantic have almost washed away the traces of a cruel traffic that once

visited every American port from Cape Cod to the Cape of Florida, a traffic that brought in its train the far-reaching Nemesis that wrong-doing never fails to bring. It may take long to remove the last traces of slave-ships in the bay of Havana, and efface the memory of wrongs that even the deep water of the sea refuses to hide; but the ministers of Nature are silently working to preserve both the physical and the moral order, and even along the Spanish main there is something to hope from

> "The moving waters at their priest-like task
> Of pure ablution round earth's human shores."

C. CREIGHTON.

SHALL THE JURY SYSTEM BE ABOLISHED?

In a recent number of this magazine appeared an article on "Juries and Jurymen." The writer, Judge Pitman, of Massachusetts, took the ground that, while some improvements could be made, the jury system was good in the main, and should be retained. With reference to the improvements suggested, I have nothing to say. Some of them, as, for instance, allowing three-fourths of the jury to find a verdict in civil cases, have been tried in California, and possibly in other States, and have been found to work well enough. But they are subordinate to the main question, and can have but little interest for general readers. I believe the main question—whether the system itself is good—to be worthy of discussion; and as I cannot agree with the learned writer of the article referred to, I will briefly examine the reasons that he adduces in support of the system, and then set forth my objections to it.

His opening argument is, that serving on juries has an educating influence upon the citizen, and, while not going so far as De Tocqueville, he agrees with that writer in the following: "It teaches men to practice equity; every man learns to judge his neighbor as he would himself be judged, . . . and this is the soundest preparation for free institutions." I doubt whether this is practically true. But let us assume that it is true. The answer is, that to teach men equity, or to be good citizens, is not the purpose of the jury system. Its purpose is to assist in the administration of justice; and if it does not do that, it is manifestly a failure. Any educating influence that it may have is wholly incidental and collateral. If it fails in its purpose, it is no argument for its continuance that it has some incidental effect that is beneficial. As well might it be said in defense of a legislature that passed nothing but bad laws, that its sessions afforded splendid practice for the members, and that, if they should only

be reëlected a sufficient number of times, they would develop into a body of Solons who would do honor to the country.

He next says: "The common law itself has grown up alongside of, and has been established in its principles with a reference to, trial by jury; so that the latter has become a congruous part of the former. Certain elementary rules of law are so closely associated with this system of procedure that change in one would require alteration in the other." The inference evidently intended is, that any such change would be bad. But it is not perceived how a change would be required. The learned writer has not mentioned any rule of substantive law which, so far as I can see, would be changed by the abolition of the jury system. He gives but two illustrations of the change he apprehends, viz., the rule that in criminal prosecutions the jury are to give the accused the benefit of a reasonable doubt, and the rule that in actions for negligence they are to ascertain what was "such care as men of ordinary prudence and capacity would take under like circumstances in the conduct and management of their own affairs." But how are these rules different when applied by a judge from what they are when applied by a jury? The rules of law are the same in each case, and would be laid down in precisely the same language by courts and text-book writers. Is it not apparent that the only difference is in the instruments through which they are applied? In one sense it may be said that the reasonable doubt of twelve men is a different thing from the reasonable doubt of one man; but in precisely the same sense it may be said that the reasonable doubt of one jury is a different thing from that of another jury. Surely the learned writer would not say that the law is changed every time a case goes before a different jury! What he evidently means is, that the rules mentioned would be better applied by a jury than by a judge. But this is assuming the question at issue.

No other instances than the two referred to are given by Judge Pitman, and it is therefore difficult to appreciate the nature of the change he apprehends; and until the nature of any particular change is known, it cannot be determined whether such change is desirable or not. Several of the rules of the common law itself were simply barbarous. Equity jurisprudence is nothing but the body of rules devised by enlightened chancellors during several centuries, for the purpose of evading the harsh

and rigid rules of the common law, and for the protection of rights not recognized by it And the greater part of what is good in modern legislation upon legal questions is the incorporation into the laws of the principles wrought out by courts of equity. It can hardly be affirmed that this process is finished, or that perfection has been attained. It is certainly not true that no change whatever would be undesirable.

The next position is this: "One of the serious consequences of compelling the court to try all questions of fact as well as of law, is the danger of thus impairing the confidence of litigants in its impartiality. All understand that the judge does not make, but declares, the law, and so has no room for choice or personal bias. But, in deciding facts, he must necessarily judge and weigh parties and witnesses; and as the most ignorant think they can decide readily as to the facts, while they know nothing of law, they assume to revise the judgment of the court; and what seems to them patent error they are apt to attribute to latent prejudice." It is to be observed here that it is not charged that the judge would in fact be swayed by prejudice, or decide incorrectly, but that ignorant persons would be apt to think he did, and so lose confidence in him. But the same thing may be said of the present condition of affairs. It is not entirely true that a judge decides questions of law only. He has in almost every action to decide questions that are governed by no fixed rules, but are said to be addressed to his "discretion"; and the exercise of this discretion furnishes as much room for personal bias as the decision of an issue of fact could, and so gives rise to the same danger of distrust and loss of confidence.

But, aside from the foregoing, I do not think experience bears out the assertion that ignorant persons, although criticising decisions of fact, abstain from questioning decisions as to the law. It seems to me that they criticise the one quite as much as the other. With the mass of mankind, ignorance is not a reason for refraining from distrust or criticism. So far from it, the less the average man understands about a thing, the more apt he is to distrust it, and the most ignorant are the most prone to criticise and denounce. Fools rush in where angels fear to tread. If we were to shape our action so as to avoid the distrust of such people, we should be like the man in the fable, who began by riding his ass; then, in order to meet the views of the passers-by, let his son ride; then got on with the boy, and finally carried the ass himself.

"Another serious objection to the proposed change would be the additional labor imposed on the judiciary." This objection is probably confined to the individuals who at present constitute that class. The problem, however, is to find out what is most beneficial to the whole community, and not what is most conducive to the comfort of a small fraction of it. If a sacrifice is necessary, some victim will probably be found in the adjacent bushes.

The main thought of the writer of the article referred to is, that facts could not be as well decided by a judge as by a jury. This is not asserted in terms as a universal proposition; it is asserted only with reference to one of the classes of actions mentioned by the writer; but it is implied throughout the article in question, and is plainly what the writer means. And it is evident that if judges can decide the facts as well as juries can, the existence of the latter is without justification; a simple and inexpensive machinery being preferable to a complicated and expensive one, if the work turned out by them be the same. Is there any reason, *à priori*, why a judge cannot decide the facts as well as a body of men taken at random from the community? He is a man as they are. In modern times at least, he is no recluse, but is as much a man of the world as is the average juryman; and he has the advantage of having a trained mind. There can be no advantage in mere numbers, for the "average intelligence" of a jury cannot rise higher than the intelligence of the best of them, which is usually much below that of the judge. But it is not ordinarily profitable to resort to *à priori* reasoning, when experience can be appealed to; and we have the advantage of experience in this case. In equity a judge always decides the facts. In exceptional cases, it is true, a chancellor takes the opinion of a jury as to the facts of a case; but even in such cases the opinion of the jury is not binding, but is merely advisory; and the judge must ultimately pass upon the facts himself. It may be asserted, therefore, that in equity the judges always decide the facts; and this is true not only of the judge who hears the case in the first instance, but also (unless where changed by statute) of the judges on appeal. They have been doing this in England for several centuries, and for the last century in many of the American States. The experience has therefore been sufficiently extensive, and it has demonstrated that judges can decide facts at least as well, and, as many think, a great deal better than juries. Any competent chan-

cery practitioner would smile if asked whether experience showed that chancellors could not decide facts as well as juries can.

So much for the reasons adduced in favor of the jury system. Let us now see what can be urged against it. In the foregoing paragraph the experience of courts of equity was appealed to in order to show that judges could decide facts at least as well as juries. If this be true, it would seem to follow that the more expensive and cumbrous machinery should be done away with. The jury system is expensive. In California the fee is two dollars a day to each juror in civil cases, making an expense of twenty-four dollars a day. When it is remembered that many trials are very long, this is a cruel charge upon the losing party. I am not familiar with the charges in other States, but a much more moderate fee amounts to a considerable sum at the end of a long trial. The system is also complicated. The jurors do not know the law; they have to be instructed therein by the judge, and after hearing their lecture, they are supposed to be quite able to apply the principles laid down to the facts of the case as determined by themselves. It would be surprising if an untrained man hearing a lecture once upon a new subject should be able to seize upon the rules, exceptions, and qualifications stated therein, so as to be able to apply them correctly. I believe that juries do not succeed in doing so once in a hundred times. Cases where they render both a special and a general verdict furnish frequent examples of this; and if any judge will take pains to talk familiarly with jurors after a trial, as to the grounds of their decision, as the writer has frequently done, he will often be amazed at their crude notions of what has been told them. A judge cannot, of course, act upon information received from jurors as to the grounds of their verdict; and where there is any conflict in the testimony it can never be known, in a legal sense, whether the jury reached their conclusion through an erroneous impression of the law, or a certain view of the evidence. It must therefore be presumed on appeal that they fully understood and correctly applied the law given them by the judge; and although they may not have understood it at all, an error in the charge is ground for setting aside the verdict. The machinery, therefore, of jury trials is both expensive and complicated, and even if trials by the judge without a jury turned out no better work, the change must be beneficial.

But the jury system also entails frequent miscarriages of justice, permitting thousands of notorious criminals to escape, and disposing of important rights of property not according to law, but in accordance with the prejudice and sympathies of comparatively ignorant men, thus depriving the law of what should be one of its most prominent characteristics, namely, certainty. Every one who has had experience with juries, or has observed the results of their work, must know that such is the fact. Instances of note will readily occur; for example, the Dukes-Nutt cases in Pennsylvania, the Cash-Shannon case in South Carolina, the Elliott-Buford case in Kentucky, the Star-Route case in Washington, and the Bender case in Ohio, which last was the occasion of the Cincinnati riot. Every county in every State in the Union can furnish examples, and the verdict of a jury has become almost a synonym for uncertainty.

But it will be objected that the institution has been handed down to us through many generations, and that if it works so badly it surely would not have survived. It is true that the institution is of great antiquity, and that this raises a presumption in its favor; but like many another thing it has long survived its usefulness. Men are prone to reverence the customs of their fathers, and frequently cling to mere forms after the substance has gone; and this is not wholly without justification. Let us, therefore, in deference to the antiquity of the system, inquire why it is that it has existed so long and become so endeared to the Anglo-Saxon heart. The answer is, I think, that it once was suited to the times and was productive of good results; but the times have changed, and it is no longer so. What endeared it to the English people was its independence, its resistance to the oppression of the Government and the upper classes. Government was strong in those days, and carried out its measures with a heavy hand; and the upper classes inherited a large portion of the power and prestige of their feudal ancestors. It was very natural that an institution that withstood oppression should become dear to the oppressed, and this more than atoned for its imperfections. But a great change has come over society. The upper classes have been effaced for all practical purposes. The powers of the Government have been limited, and, so far as its control over the citizen is concerned, it is not even strong enough to have an inflexible administration

of its own laws. It is no longer a function of juries, therefore, to resist oppression.

In addition to this, the spirit of the age has changed. Men are no longer of that stern stuff which exacted an eye for an eye and a tooth for a tooth. Sentiment, benevolence, and philanthrophy have become potent forces. Conscientious scruples against capital punishment are common, and numbers of men shrink from the idea of having blood on their hands, even in a legal way; some would no more condemn a man to death than they would carry the sentence into execution. These feelings are easily appealed to by an adroit advocate, and the results are deplorable. In about half the cases crime goes uupunished, or is punished in a very inadequate degree. The result is, that bad men are not deterred from crime; it is an even chance whether they will be punished at all, and they prefer to take that chance rather than restrain the passions of the moment. And men who are not bad take the law into their own hands; they feel that the law will not protect them, and they seek to protect themselves. These causes lead to that frequency of homicide which is the great stain of American civilization.

With reference to civil cases, the cause last mentioned does not, as a matter of course, apply. The main reason of the bad results of jury trials in civil cases is that the questions arising in modern trials are usually too complex for untrained minds. In Lord Ellenborough's time, a trial was ordinarily an affair of an hour or so. In our time, it is ordinarily an affair of several days, frequently of several weeks, and not seldom of several months. The average juryman cannot hold the case in his head, and the result is that he gives his verdict in accordance with his sympathies or prejudices. The fatal objection to a jury is its ignorance. Where the citizen is left to himself, he does not usually prefer to seek the aid of ignorance to guide him in the affairs of life. If his health is affected, he goes to a physician; if his property is assailed, he goes to an attorney. He hies him to the butcher for meat, and to the baker for bread, and so on with reference to his other affairs; but the law, however difficult and delicate may be the occasion, employs its agents without reference to knowledge or other qualification. In this way a cobbler may be called upon to decide a question of commercial usage; a blacksmith, a question as to the proper degree of skill in repairing a watch; a saloon-keeper, a question as to the

value of a slandered character; an old-clothes man, a question as to the proper degree of skill in running a railway; and so on *ad infinitum*.

For the foregoing reasons, it is believed that it would be a great reform to abolish the jury system, and allow the judge to pass upon the facts as well as the law. It is true that he might be called upon to decide questions of which he had no previous knowledge; but it is to be remembered that, after deciding such a case, he is not dismissed, as a juryman is, but can carry the fruits of the investigation to the next case of the kind. He could not hold office very long without becoming experienced as to the questions that most frequently arise, and the advantage of a trained mind and skill and experience in weighing evidence is incalculable. Whether this reform will come in our time, *quære?*

ROBERT Y. HAYNE.

THE GENESIS OF TENNYSON'S "MAUD."

Not a few among the most devout worshipers and ardent admirers of Tennyson's genius, in spite of the obloquy and abuse lavishly heaped upon it at its first appearance, have long cherished the noble poem of "Maud" as the consummate flower of his highest artistic work; standing midway, as it does, between the early efflorescence of his school-boy and under-graduate effusions and the decline and fall of his septuagenarian period.

The substance of this poem was first given to the world in the summer of 1855, while the Crimean war-fever was at its height, and the war-passages of the concluding section or part were probably an after-thought. At any rate, that section of the poem, which begins, "O that 'twere possible,"* and which stood in the first edition as the twenty-fourth and in the second as the twenty-sixth (the germ from which the whole poem eventually sprang), was originally published eighteen years previously, as far back as 1837, in the pages of a long-forgotten and now almost unattainable miscellany, entitled "The Tribute: a Collection of Miscellaneous Unpublished Poems, by Various Authors, edited by Lord Northampton;" whence, as the late Mr. George Brimley remarked,† it is "now recovered, and set as a jewel amid jewels." "There is nothing," he says, "that presents the incipient stage of madness, springing from the wrecked affections, with more of reality and pathos" than this poem. These stanzas elicited incidentally from the "Edinburgh Review"‡ its

* It seems probable that the opening lines or key-note of these "Stanzas" may have been suggested by a passage in Webster's "Duchess of Malfi":

> "O that it were possible we might
> But hold some two days' conference with the dead!
> From them I should learn something I am sure
> I never shall learn here."

† "Cambridge Essays," 1855, p. 268.

‡ October, 1837, p. 108.

first notice of Tennyson. "We do not profess," says the reviewer, "perfectly to understand the somewhat mysterious contribution of Mr. Alfred Tennyson, entitled 'Stanzas,' but amidst some quaintness, and some occasional absurdities of expression, it is not difficult to detect the hand of a true poet in those stanzas which describe the appearance of a visionary form, by which the writer is supposed to be haunted amidst the streets of a crowded city." And last, but not least, Mr. Algernon Swinburne, speaking of some of the chief contributions to "that fortunate volume of miscellaneous verse," describes this one as "what seems to certain readers the poem of deepest charm and fullest delight of pathos and melody ever written even by Mr. Tennyson; since recast into new form, and refreshed with new beauty, to fit it for reappearance among the crowning passages of Maud." Instead of the concluding stanza,

"But the broad light glares and beats,"

as it now appears in "Maud," the "Stanzas," as they originally stood in the "Tribute," after

"To the regions of thy rest,"

closed as follows:

"But she tarries in her place,
And I paint the beauteous face
Of the maiden that I lost,
In my inner eyes again,
Lest my heart be overborne
By the thing I hold in scorn,
By a dull mechanic ghost
And a juggle of the brain.

"I can shadow forth my bride
As I knew her fair and kind,
As I woo'd her for my wife;
She is lovely by my side
In the silence of my life —
'Tis a phantom of the mind.

"'Tis a phantom fair and good;
I can call it to my side,
So to guard my life from ill,
Though its ghastly sister glide
And be moved around me still
With the moving of the blood,
That is moved not of the will.

"Let it pass, the dreary brow,
Let the dismal face go by.
Will it lead me to the grave?
Then I lose it: it will fly.
Can it overlast the nerves?
Can it overlive the eye?
But the other, like a star,
Through the channel windeth far
Till it fade and fail and die,
To its Archetype that waits
Clad in light by golden gates—
Clad in light the Spirit waits
To embrace me in the sky."

All this was omitted when the "Stanzas" were remodeled to appear in the poem of "Maud," which appears to have grown out of a remark of the poet's friend and neighbor, the late Sir John Simeon, of Swainston, to whom Tennyson had read the lines,

"O that 'twere possible."

Mrs. Richmond Ritchie (better known as Miss Thackeray) relates that Sir John Simeon said, "it seemed to him as if something were wanting to explain the story of this poem, and so by degrees it all grew." A curious and significant anecdote, explanatory also of the sense of a verse of the poem, is told on the authority of Mr. Henry Sidgwick. Tennyson was reading the poem to a silent company, assembled in the twilight. When he came to the lines opening the twelfth section:

"Birds in the high Hall-garden
When twilight was falling,
Maud, Maud, Maud, Maud,
They were crying and calling,"

he stopped short, and asked an authoress who happened to be present what birds these were. Much embarrassed, and feeling that she must speak, and that the eyes of the whole company were upon her, the lady faltered out, "Nightingales, sir." "Pooh!" said Tennyson, "what a cockney you are! Nightingales don't say 'Maud.' Rooks do, or something like it. Caw, caw, caw, caw." Then he went on reading.

A sketch by the late Dante Gabriel Rossetti, dated 1855, of "Tennyson reading Maud," is at present in the possession of Robert Browning, the poet, who, together with his wife, was of

the party. It was exhibited at the Rossetti Exhibition of the Burlington Fine Arts Club, shortly after the painter's death; and a wood-engraving from it appeared in "Harper's Magazine," for December, 1883, accompanied by an article from the pen of Mrs. Ritchie, the daughter of Thackeray. Mr. Joseph Truman, himself one of the most noticeable of the lesser constellation of living poets, paid a visit to Farringford, the poet's home in the Isle of Wight, a quarter of a century ago, and had the privilege of hearing him read "Maud," with many passages and lines now omitted. The question as to the madness of the hero of "Maud" has been almost as much, as variously, and as fruitlessly discussed as that of the madness of "Hamlet." It will be interesting in this connection to note that a set of proof-sheets of the second edition (considerably revised and enlarged, and published in 1856) bore the title of "Maud; or, the Madness," but this second title, an after-thought, and probably intended as a sop to the critical Cerberus, was rescinded before publication. In the edition of 1859 the poem was divided into two parts, and subsequently into three. In the later editions it is entitled, "Maud: a Monodrama."

A defender of the work appeared in the person of Dr. Robert James Mann, who published an elaborate brochure of eighty pages on the spirit and purpose of the poem, entitled, "Tennyson's 'Maud' Vindicated: an Explanatory Essay." The poet appears to have approved of his commentator's interpretation, for he writes to Dr. Mann as follows:

"No one with this essay before him can in future pretend to misunderstand my dramatic poem, 'Maud'; your commentary is as true as it is full."

In a small anonymous volume of poems, entitled "Ionica,"* another defender came forward with some lines of considerable merit, entitled, "After Reading 'Maud,' September, 1855." Three years ago the writer of the present paper was privileged to see the original proof-sheets of the first edition of "Maud." A long printed passage, of remarkable power and pungency, describing in scathing language the young lord-lover whom the heroine's brother desires to force on her, was scored out in these proofs and never appeared in the published poem. It begins with the second stanza of the tenth section, after the lines closing the first, as they still stand:

* Smith, Elder & Co., 1858, pp. 61–64.

"And over the sullen-purple moor
(Look at it) pricking a cockney ear."

The canceled passage runs as follows:

II.

"What, has he found my jewel out,
This babe-faced lord? I am sure it was he,
Bound for the Hall, and perhaps for a bride.
Blithe would her brother's acceptance be.
Maud could be gracious, too, no doubt,
To the dawdling drawl of the tender ape,
His bought commission and padded shape,
His one-half grain of sense, and his three
Straw-color'd hairs upon either side
Of a rabbit mouth that is ever agape.

III.

"Now are they serf-like, horribly bland,
To this lord-captain up at the Hall:
Will she smile if he presses her hand?
Captain? he to hold a command!
He can hold a cue, he can pocket a ball.
And, sure, not a bantam cockrel lives
With a weaker crow upon English land,
Whether he boast of a horse that gains,
Or cackle his own applause, when he gives
A filthy story at second-hand,
Where the point is miss'd and the filth remains.

IV.

"Bought commission! can such as he
Be wholesome guards for an English throne,
When if France but make a lunge, why she,
God knows, might prick us to the backbone?

V.

"What use for a single mouth to rage
At the rotten creak of the old machine,
Tho' it makes friend weep and enemy smile,
That here in the face of a watchful age
The sons of a graybeard-ridden isle
Should dance in a round of old routine,
And, a few great families lead the reels,
While pauper manhood lies in the dirt,
And Favor and Wealth, with gilded heels,
Trample service and tried desert."

In the original proofs, the "shining daffodil" of the published version appears, in two places, as "the sweet Narcissus":

"The sweet Narcissus dead, and Orion low in his grave."

"And the sweet Narcissus dies, and the charioteer
And starry Gemini hang like glorious crowns
Over Orion's grave low down in the west."

In these original proofs, Maud's brother is not described as "the Sultan"; that epithet was an after-thought. Three well-known lines describing him run thus in the first draft:

"But his essences made the Morning sick,
And barbarous opulence jewel-thick
Flash'd on his obstinate-finger'd hands."

Enough has been said to show into what a refiner's furnace this most artistic, if not flawless, work of the most artistic of living poets was cast, before it came forth in its present shapeliness, purity, and perfection of workmanship.

RICHARD HERNE SHEPHERD.

THE DEVELOPMENT OF MACHINE GUNS.

THE prominent position now accorded to machine guns in naval and military armaments, as well as the increasing interest evinced of late in all matters pertaining to them, might lead to the supposition that they are a comparatively recent production, whereas small-bore weapons of the kind, termed organ guns, were employed by the military as early as the fourteenth century. And yet it requires a great stretch of imagination to treat the organ guns as the prototype of such weapons as the Gatling, Nordenfelt, Gardner, and other modern rifle-caliber guns.

Machine guns have been rapidly developed in the past few years, and the question of naval machine-gun armaments daily assumes increasing importance. The demand for naval machine guns has been brought about partly by the very decided advance effected in their construction — more particularly in regard to those of rifle caliber — and partly by the introduction of powerful torpedo boats. This latter cause has necessitated some special means for affording to the huge and costly iron-clad an effective protection against the attack of boats armed with the Whitehead or other equally destructive torpedo; for the swift and stealthy movements of these craft, and the suddenness of their onslaught, render the ordinary armament of an iron-clad comparatively useless for this purpose; besides, the torpedo boat offers but a small target to the ship's guns even when an attack is made in the day-time. And the creation of a special class of swift cruisers for the protection as well as for the destruction of commerce on the high seas, and the determination of some of the naval powers to enroll, in time of war, the principal steamers of the mercantile marine as ships of war, have together hastened the improvement of the guns.

There are practically three distinct classes of machine guns, viz., those of rifle caliber, firing only rifle bullets; those of one-inch caliber, firing only solid shot; and those of one-and-a-quarter-

inch caliber and upward, which by the Geneva Convention are entitled to fire shells. Thus we have: First, rifle-caliber machine guns, sometimes termed small-bore machine guns, and mitrailleuses. Second, one-inch caliber machine guns. Third, shell machine guns. Of the latter the heavier forms are usually spoken of as "rapid" or "quick" firing guns, for the reason that they are loaded by hand, and not, as in the case of the other weapons, by automatic means, and therefore the expression "machine" is not considered applicable to them.

I purpose to consider separately the employment of machine guns, first for naval and secondly for military purposes. For naval use, the first of the three classes of weapons—rifle-caliber machine guns — must be subdivided into three sections, viz., heavy, medium, and light guns, dependent upon the total weight of the weapon, and not on the number of its barrels. Heavy rifle-caliber machine guns would comprise all such weapons as are of too great weight, and occupy too much space, to be conveniently mounted in the tops of a ship, or in the smaller boats of the vessel, or cannot be moved with ease by men with drag-ropes when employed in shore operations. The Gardner five-barrel, the Gatling ten-barrel, and the Nordenfelt twelve, ten, and seven-barrel guns, are representatives of the heavy rifle-caliber machine guns. Still, the term "heavy" can only be applied comparatively, for the heaviest of the above-named guns—the Gardner five-barrel and the Nordenfelt twelve-barrel—weigh only about two hundred and eighty pounds each, while the seven-barrel gun of the latter system weighs only one hundred and thirty-eight pounds. Medium rifle-caliber machine guns comprise those which can be conveniently placed in the tops and smaller boats of a ship, and which do not require animal transport on shore, but can be drawn or carried by the men of the gun detachment. The Gardner two-barrel and Nordenfelt and Gatling five-barrel guns are representatives of this section. Lastly, are those rifle-caliber machine guns which are exceptionally light, such as the Gardner single-barrel and the Nordenfelt three, two, and single-barrel guns. With the exception of the three-barrel weapon of the latter system, weighing some fifty-six pounds, it is exceedingly doubtful whether any of the guns of this section possess really practical advantages over a good repeating rifle.

Till lately, the Montigny (thirty-seven barrels) and the Gatling (ten barrels) rifle-caliber machine guns were the only

naval weapons of this nature in general use, and practically the only representatives of that class,—the former being employed in the Italian navy, and the latter in the American, English, Russian, and other navies; whilst now we find included in the small-bore, or rifle-caliber class of machine guns, specially devised weapons for the particular work they are required to perform, which have in common the property of great rapidity of fire, and automatic loading, firing, and extracting mechanism.

The vast improvement effected in the construction of machine guns of rifle caliber will be at once apparent from a glance at the following statement: The Gatling ten-barrel gun, above referred to, weighs four hundred and fifty pounds, and its rate of fire for one minute is about five hundred shots; while the Nordenfelt and the improved Gatling ten-barrel guns, weighing each about two hundred and thirty pounds, can fire a thousand shots a minute. Again, the Nordenfelt five-barrel gun, which weighs but one hundred and twenty-eight pounds, has a greater rapidity of fire than the original pattern Gatling ten-barrel gun. Lastly, the Montigny, with its thirty-seven barrels, weighs three hundred and seventy pounds, and fires only three hundred shots a minute,—not so great a rapidity as the Nordenfelt three-barrel gun.

The heavy weapons are intended partly for ship defense and partly for the armament of the small cutters, life-boats, etc., of a man-of-war. The medium weapons would be the most generally useful, as they can be employed for a variety of purposes, but are more particularly intended for mounting in the tops of a ship and for service on shore as naval landing guns. The medium rifle-caliber machine guns would probably form the entire equipment of troop-ships, dispatch vessels, gunboats, and such craft. The light weapons seem to have no actual place in naval machine-gun armaments, unless it be the Nordenfelt three-barrel gun for mounting in the tops of the smaller ships, or as an exceptionally light and handy landing gun. The necessity for the employment of a weapon such as the heavy or medium rifle-caliber machine gun, in modern naval warfare, results from the fact that the crews of even our largest men-of-war are numerically very much weaker than those of the line-of-battle ships of twenty years ago. And though, as far as iron-clads are concerned, no deliberate attempt to board may be made, yet, owing to the introduction of the ram, this function

of naval warfare will often be rendered obligatory by two ships, which have failed in an attempt to ram, falling aboard and becoming locked together. In such case the success of an attempt to board by one or other of the ships' crews will depend in a great measure on the actual power of rifle fire that can be brought into play to sweep a clear passage for the first rush of the boarders.

In future naval engagements, whether between fleets or single ships, the ram will form the principal engine of attack, thus affording to the rifle-caliber machine gun every opportunity for proving the effectiveness and the deadly nature of its fire, by sweeping an enemy's decks, and pouring into her gun-ports and tops a hail of rifle bullets, and by discharging volley after volley against the conning towers, in the probability that one or more of the bullets will pass through the loop-holes or directing-ports and kill, wound, or at least distract the attention of, the officers and men confined therein to such a degree that at the critical moment the enemy may be placed in a position favorable to being rammed, or, on the other hand, prevented from delivering her ram attack with any chance of success. Then, as the armament of the smaller boats of a man-of-war, the rifle-caliber machine gun, both heavy and medium, is exceedingly effective, whether for covering the debarkation or embarkation of troops or naval brigades, for expeditions necessitating the penetration of an enemy's country by river, for cutting-out expeditions, for capturing slave vessels, or for other boat service For naval landing purposes the medium rifle-caliber machine gun is particularly adapted, as this service usually requires a weapon possessing considerable rapidity of fire — so as to counterbalance, as far as possible, the numerical weakness of naval parties employed on shore — and capable of being dragged with the greatest facility over rough ground by a few men.

We now come to the consideration of the class of machine guns that, though having a much larger caliber than those previously treated of, are not permitted by the Geneva Convention to fire other than solid shot. Those powers that have not subscribed to this Convention are at liberty to use any kind of ammunition, no matter what the caliber of the weapon may be. But, apart from the fact that such a mode of warfare would be condemned by all civilized nations as unfair and barbarous, no practical object is gained by the use of very small shells,

such as would have to be discharged from weapons having a caliber of one inch and under, while considerable danger would attend the firing of such small-bore machine guns at the high rate of discharge common to them, if any kind of shell ammunition were employed. Next are the machine guns of one-inch caliber, now represented by the Nordenfelt four-barreled and two-barreled one-inch guns; the former, usually termed anti-torpedo-boat guns, being expressly intended for the defense of ships against the attack of torpedo boats, while the latter are employed by England, Italy, and other powers, as the armament of torpedo boats.

This brings us to one of the most important problems of modern naval warfare, viz., the most effective manner in which to provide ships of war with a defense against the attacks of torpedo boats armed with the formidable Whitehead torpedo, or some other similar weapon of offense, such as the Harvey, rocket, or spar torpedo. Numerous devices have been proposed from time to time, but a special form of machine-gun armament promises to meet the requirements better than any other contrivance that has yet been discovered. This remark applies more particularly to vessels under way, for rarely should a fair opportunity be accorded to the torpedo boat for making an attack on a vessel at anchor. Should circumstances force the ship to place herself in such a position, then of course some external means of protection, such as nets, booms, guard-boats, etc., must be resorted to; and whether she is under way or at anchor, the electric light will, of course, be employed with considerable advantage.

The vast importance of this question has been very generally admitted by the naval powers, with the result that during the past three or four years numerous and exhaustive experiments have been instituted in Europe and elsewhere, for the purpose of obtaining the most effective anti-torpedo-boat machine gun; and thus we now find either the Nordenfelt four-barreled one-inch gun or the Hotchkiss five-barreled thirty-seven-millimeter (about an inch and a half) shell gun forming a component part of the armament of most ships of war, especially the iron-clads. These weapons, though intended for the same work, differ so very materially that it may be interesting to note the points special to each. The Nordenfelt fires only solid shot; the Hotchkiss, solid or shell projectiles. The former can discharge

either single shots or volleys of four shots, while the latter can only fire single shots. The Hotchkiss is a revolving cannon, and has rotatory crank motion, while the Nordenfelt's barrels are fixed and in the same horizontal plane, and its firing-lever has a forward and backward movement. Lastly, the Nordenfelt is elevated and trained by screw gear provided with wheels, while the Hotchkiss is aimed by means of a shoulder-piece. Which of these weapons is best suited to the purpose of providing ships with an efficient defense against the attack of torpedo boats, is a question involving too many technical considerations to be discussed in this paper; and besides, this matter has become still more complicated by the recent construction of a Nordenfelt double-barreled one-and-a-half-inch shell gun. Thus the problem to be solved is not alone that of slow-firing shell machine guns, as compared with solid-shot rapid volley-firing machine guns, but further, whether a double-barreled shell machine gun, capable of firing volleys of two shots, is preferable to the former style of weapon.

It was erroneously supposed, when this question was first considered, that the Hotchkiss gun combined the functions of an anti-torpedo-boat weapon and those of an ordinary naval shell machine gun; but now these functions are seen to require each a special kind of machine gun, for otherwise the essential features of the former weapon—rapidity of discharge and volley fire—must be sacrificed to the essential features of the latter weapon—great penetrative power, or *vice versa*. Suffice it to say, that either of these machine guns, if properly handled, will render the torpedo-boat attack a service of extreme difficulty and danger.

The experience of the Chili-Peruvian war, as well as the fact that torpedo boats are now increasing both in number and size, necessitates their being equipped with some kind of gun defense. This has led to the construction of the two-barreled one-inch machine gun, power, rapidity of fire, lightness, compactness, etc., being its leading features. At the same time, an especially light single-barreled shell machine gun is preferred by some for this work, and in a few instances a rifle-caliber machine gun has been adopted for the torpedo-boat armament.

The next subject for consideration is the introduction of light and heavy rapid-firing single-barreled shell guns. The weapons that now form the light naval armament have a

great many objectionable features; in fact, are in no particular qualified for the work they are intended to be used for. These guns, which vary but slightly in all navies, are cumbersome, and have small penetrative power, a comparatively low degree of accuracy, and an exceedingly slow rate of discharge; while the class of rapid-firing shell guns affords an exceedingly powerful and effective naval armament, whether for use in ships, in boats, or on shore, as the features of considerable penetrative power, high degree of accuracy, rapidity of fire, and handiness are common to them; besides which, this class of weapon has the advantage of using the made-up cartridge. Comparing the ordinary naval light gun with the rapid-firing shell gun, there is to be found only one point of superiority on the side of the former, viz., the discharge of heavier and larger shells, which means a greater number of splinters, more effect, and larger area covered by the bursting of a shell projectile of the former weapon, when compared with the bursting of a similar projectile fired from the latter gun. However, this advantage only remains when shell for shell is compared; for if we suppose both the weapons to fire for a certain period of time, then this point of superiority for the present naval light gun will not be sustained. A six-pounder rapid-firing shell gun discharges, when aimed between each shot, twelve projectiles in one minute, while an ordinary naval twelve-pounder gun can only fire at the rate of two shots a minute. Thus, in firing continuously for one minute, the latter would discharge two projectiles, equivalent to twenty-four pounds of metal, or seventy-five shell splinters, or one hundred and seventy-six shrapnel bullets. The six-pounder rapid-firing gun would, in the same time, discharge twelve projectiles, equivalent to seventy-two pounds of metal, or four hundred and eighty shell splinters, or five hundred and eighty-eight shrapnel bullets; and the total area of destructive effect produced by these twelve six-pound shells or shrapnels would be considerably greater than in the case of the two twelve-pound shells. The continuous bursting of shell or shrapnel discharged from the rapid-firing shell guns, amongst a body of troops, would prove most serious.

The penetrative power of these rapid-firing guns is exceedingly high for their small caliber; for instance, one of them of one-and-a-half-inch caliber (Nordenfelt) during some recent official experiments in Brazil, effected a greater penetration

in a solid two-inch iron plate than a nine-pounder three-inch gun at the same range. The unarmored cruiser of the present time, with its thin steel or iron sides, can be perforated by the two-pounder, three-pounder, and six-pounder rapid-firing guns, at respectively twenty-four hundred yards, thirty-three hundred yards, and forty-five hundred yards, and these weapons fire with ease from twelve to fifteen aimed shots a minute. There is yet another advantage to be gained by the introduction of this class of machine guns, which is, that they can be arranged to be fired from a naval landing carriage without causing it to run back; and thus, by this absence of recoil, shell after shell can be discharged in rapid succession, with but slight derangement of aim. If the target presented be a body of men, as would, of course, be always the case, a very small variation in the aim is rather advantageous than otherwise, as by this means the shells are spread instead of being dropped close together, thus enlarging the destructive area. With the ordinary naval light gun, mounted on its landing carriage, each shot causes the carriage to run back or recoil several feet, thus adding another factor adverse to rapid firing; the others being the separate loading of cartridge and projectile and the necessity of sponging, all of which are absent in the system of rapid-firing shell guns, where only one operation, that of loading by hand, without rammer, is required.

Very little progress has been made in the employment of machine guns in field service, but there is a growing and decided tendency on the part of the military authorities to look with favor upon their use. The celebrated Russian General Skobeleff always advocated their employment, though his experience of such weapons was confined to the old pattern of rifle-caliber machine guns; and Generals Lord Wolseley and Lord Chelmsford have expressed themselves very strongly and decidedly in favor of their adoption; while on the continent several papers have been read by military officers on the same subject. The main objections hitherto urged against the introduction of rifle-caliber machine guns into the military service, even for experimental purposes, have been entirely based on the failure of the French mitrailleuses; but this failure occurred fourteen years ago, before any of the more important improvements in machine guns were made, and it should no longer operate prejudicially. Yet another cause which has tended to

prevent the introduction of rifle-caliber machine guns has been the powerful opposition of the artillery, due in a great measure to an unreasoning and exaggerated fear that these weapons, if introduced, would threaten the very existence of the field artillery; but now that those who advocate the employment of this arm have forsaken their mistaken policy of pitting rifle-caliber machine guns against field guns, and the actual purpose of the weapons has at last been grasped, a decided reaction in favor of their employment in the field is evident. The object of rifle-caliber machine guns, as at present constructed, is to provide either of the other branches of the military service with an exceedingly powerful rifle fire, by means of weapons having the property of mobility in the highest degree. Such pieces should be treated as merely a cluster of rifle-barrels so arranged as to afford a greater power of rifle fire than is possible to be obtained from a similar number of rifles in the hands of soldiers, while capable of being moved with as great facility over any ground as infantry, and requiring but two or three men for their operation. In a few words, the use of rifle-caliber machine guns offers to a general the simplest and most effective means whereby to intensify rifle fire at any point of his position, without causing the offensive or defensive power of any other part to be weakened for this purpose.

Rapid-firing single-barreled shell guns possess some exceedingly important features for the military service, whether used in the field, as mountain guns, or for the armament of fortifications and earthworks. The properties that most strongly recommend these guns for service in the field are rapid fire, little or no recoil of gun-carriage, mobility, simplicity of mechanism and manipulation, and, lastly, the use of made-up or self-contained cartridges. It is difficult to conceive of more suitable guns for light horse artillery. Take, for instance, a battery of six rapid-firing three-pounder shell guns, each capable of discharging eight projectiles in half a minute, with deliberate aim between each shot. A battery of this nature could in this short period of time deliver forty-eight projectiles, equivalent to one hundred and forty-four pounds of metal; and if common shells were used, with one thousand four hundred and forty splinters, or for shrapnel shells, with two thousand and sixteen lead bullets. Such a rain of bursting shells would create terrible con-

fusion, and have a most demoralizing and destructive effect if thrown amongst a body of troops; while if directed against earthworks or houses, the continuous fire of shell after shell would soon produce considerable damage. The comparative lightness of these weapons would permit of their being provided with an effective shield protection without reducing to any serious extent their property of mobility; besides, the additional weight of this shield would permit of a larger powder charge being used, with a corresponding increase in initial velocity, accuracy, and power. Three-pounder guns have been referred to, but six-pounders are also adapted for field service, by allowing them to recoil and automatically return to their original positions without causing their carriages to run back.

C. SLEEMAN.

BENEFITS OF THE TARIFF SYSTEM.

So PERSISTENT has been the misrepresentation of the American policy of protection, and so ingeniously have its opponents employed the arts of sophistry to bring odium upon it, that though that policy has been the means of increasing the wealth of the United States to an extent without parallel, the adherents of one of our great political parties, numbering nearly half of the voters of the country, are supposed to be ready practically to abolish the system. The advocates of free trade assume the title of tariff-reformers; but their purpose is the destruction of the tariff system, not its reform. A reformed protective tariff should promote effectually the development of home industries; and that is the test of every project that purports to aim at tariff reform. Does it tend to favor the production here, rather than abroad, of the articles that we need? Does it tend to develop the natural resources of our own country, and to call into full play all the energies of the American people? If not, its object and tendency is eradication, not reform; retrogression, not progress.

Our political economists and our law-makers, if they would deal understandingly with the questions of free trade and protection, should, first of all, ascertain what is the full measure of our natural resources above and beneath the soil, and should have a clear apprehension of all the bearings of these questions upon the social condition of our whole people. The value of a manufactured article is made up almost entirely of the amount of labor expended in its production, and this is as true of the ton of ore taken out of the earth and made into a railroad truck as of the most ingenious piece of mechanism ever contrived; hence, in fixing the price of any product of American manufacture—which is done when the law-maker fixes the tariff at which a competing foreign product is admissible—account must be

taken of the price paid here and in foreign countries respectively, for the same amount and kind of labor, also of the respective rates of interest. In whatever specious phrases the builders of a party platform may express their concern for the welfare of the workingman, if they are not prepared to offer without ambiguity such a tariff on foreign manufactured goods as will cover the difference between the percentage of the cost represented by the wages and interest current in foreign countries and the wages and interest current in the United States respectively, their professions of friendship for the workingman must be largely discounted, and their declarations in favor of cherishing American industries will be seen to be a very transparent disguise. The test that the great army of workers must apply to all party platforms is one that the most skillful concocter of honeyed phrases cannot hope to elude; it is this: Does the party you represent favor the imposition on all imported manufactures of such a tariff as will bring the price up to what the same article would cost if manufactured here by American workingmen, receiving such wages as they are accustomed to receive, and by American capital receiving such interest as is customary in this country? No "tariff for revenue only," no "tariff for incidental protection," will stand this test.

The proportion of the cost of a manufactured article represented respectively by the raw material, and the wages of the labor employed in the process of manufacture, presents an interesting subject of inquiry. I am able to furnish from my own experience a few facts that throw some light upon it. Two or three years ago, in conjunction with some friends, I built a blast-furnace and rolling-mill which cost upward of $500,000. Of this sum not less than ninety-five per cent. was expended for labor, and not over five per cent. for the raw material. When I was planning the furnace, the iron was ore in the mine, the stone was still in the quarry, the bricks were clay. To transform them required labor, and that it was which gave them their value in the completed structure. Were such a furnace to be built in Europe, its cost would not exceed $300,000, wages there being sixty per cent. lower than here. So, too, with regard to interest on money. Our capitalists, being very timid on account of the continued tariff agitation, demand greater interest, $40,000 a year on $500,000, and $10,500 a year on $300,000. Here the interest on the cost of this blast-furnace would be about eight

per cent., at an average, North and South; while in Europe it would be only three and a half per cent. In the light of such facts, what possible chance of existence would American manufactures have, if they were to be exposed in the home market, to competition with the manufactures of countries where both labor and capital are so much cheaper?

We have here in abundance the skilled labor and the capital needed for the development of our vast natural resources. The application of labor to the stores of wealth hidden in the mine, latent in the forest and in the soil, is the source of our national prosperity. Before the advent of the white man, all this wealth was in the possession of the aboriginal race; but the red man was heedless of the treasure that nature had placed at his command, and his life was a continual struggle for a bare existence. The policy of free trade, whether frankly expressed or cunningly disguised, tends to the same consummation. The iron of Pennsylvania would lie unheeded in the mine; the looms of New England would be transported to other lands; there would be here no career for our enterprising and highly gifted population. I see not how these conclusions can be avoided; the utter ruin of at least half of our industries would inevitably follow the enactment of a tariff for revenue only, unless, indeed, the millions of workers consented to enter into competition with the workers of Europe, and to work for half the wages they now receive, with corresponding restriction of their enjoyment of the comforts and decencies of life. But we are not left to mere argumentation and inference when we seek to determine the outcome of a policy of free trade. From a study of what the policy of protection has done for our country, we may estimate precisely what results will follow if ever that policy is abandoned. We have only to read the history of the country's material progress since the enactment of the protective tariff, and to compare our condition since that period with our condition before; or we have only to compare to-day those States of the Union that accept cordially the doctrine of protection, with those that are in favor of free trade. The former are prosperous, opulent, and growing rapidly in wealth and population, in civilization and culture; while the latter in all these respects lag far behind. The South, with equal and in many cases superior natural resources, remains undeveloped, and is trying to force legislation to bring the North to the same condition.

The principles of political economy upon which our existing tariff system is based, were clearly apprehended by Benjamin Franklin, who, having studied the conditions of industrial development in England, thus wrote in 1791, from London, to Humphrey Marshall, Sr.:

"Every manufacture encouraged in our country makes a market for produce within ourselves, and saves us much money to the country that must otherwise be exported to pay for the manufacture supplied. Here in England it is well known and understood that wherever a manufacture is established which employs a number of hands, it raises the value of land in the neighboring country all around it, partly by the greater demand near at hand for the produce of the land, and partly from the plenty of money drawn by the manufacturer to that part of the country. It seems, therefore, the interest of our farmers and owners of land to encourage our manufactures in preference to foreign ones imported among us from distant countries."

Madison, too, advocated the policy of producing at home the manufactured goods we need, and advised his countrymen, by imposing duties on the manufactures brought from foreign countries, to invigorate their own manufacturing industries; and he adds that "we should not be be in a state of commercial dependence upon a single nation for necessary articles of consumption or of defense in time of war." Andrew Jackson also perceived the advantages of home production, as benefiting at once and in equal degree the artisan and the farmer. "Build your factories and workshops," said he, "close to your plantations and your farms, and you will confer inestimable and innumerable blessings on the whole of the American people by that policy."

It must not be forgotten that when these wise counsels were given, there stood between America and Europe a barrier far more difficult to overcome than any that can be set up by tariff legislation. In those days the importation of foreign merchandise, and its conveyance to settlements at any distance from the sea-board, took at least as many weeks as those operations now require days, and the freight charges were correspondingly onerous. To this must be added the exceedingly imperfect mechanism of exchange that then existed, and the lack of a perfected system of brokerage and commission. These disadvantages had the effect of an almost prohibitive tariff; yet the fathers of the republic maintained that for the encouragement of home manufactures a high customs tariff should further be

imposed on foreign manufactures imported into this country. But to-day Europe is at our doors, and a merchant in San Francisco can have his order filled by a manufacturer in Manchester in one-fourth of the time that would have been required to fill it for a merchant in New York in Jackson's day. Hence, in the absence of a protective tariff, we should be to-day exposed to a competition with foreign markets, with their cheap capital, cheap labor, and cheap transportation, much more disastrous to the manufacturing interests of this country than could have arisen fifty years ago. Even with the present high tariff, our imports are enormous, and they are increasing in volume from year to year with astonishing rapidity. This shows that the tariff is not impoverishing the people; if that were the case, they could not afford to buy the manufactured products of foreign countries to such an amount. Our imports in 1841, 1851, 1861, 1871, and 1881, were respectively $127,946,177, $216,224,932, $535,650,153, $541,493,708, and $753,240,125. This steady and rapid increase of importations under our present tariff shows wherein the system may profitably be reformed and amended. Would it not be a beneficial reform of the tariff were our law-makers so to shape their legislation as to keep that money at home, and thus give additional employment to our own workers? If at the outbreak of the war we had not enacted a protective tariff, we should have found it impossible, with the high price of labor and the depreciation of the currency, to compete with foreign manufacturers. Our factories and workshops would have been closed, and we should have been completely at the mercy of England's manufacturers. Our mechanics, our skilled labor, would have had to turn to agriculture, and the farmer would have lost his home market, which under present conditions takes seven-eighths of his surplus product.

So far from heeding the advice of the fathers in regard to a policy of protection, the South has always purposely acted out the opposite policy. Instead of setting up workshops alongside of the plantations, the people of the South raised cotton, sugar, tobacco, etc., and shipped the crude products to foreign countries or to the North, receiving in exchange their clothing, food to a great extent, tools, furniture, machines, articles of luxury, etc. The policy of sending out the crude materials and leaving to other communities the profit of manufacturing them, has been

disastrous to every nation that has practiced it. When the Southern States attempted to secede from the Union, they found themselves still absolutely dependent on the outside world, and as they were soon largely cut off from communication with England, and had no manufactures, no skilled labor of their own, they were foredoomed to defeat. Does any one suppose that the people of the North would have been able to conquer the Rebellion had they been obliged to import from foreign countries the material of war, clothing, and medicines for their armies and fleets?

The whole country has lately had very forcibly presented to it the figures that show the marvelous increase of wealth in the United States since 1860, or since the initiation of the policy of protection — from $16,150,000,000 to $55,000,000,000, the latter being the estimate of our national wealth in 1880, made by an English authority on finance, quoted approvingly by the "London Times." In the meantime we had passed through a great and protracted civil war, in which two million men had been engaged, and thus taken away from productive industry; and which entailed upon the country a debt that, on June 30, 1865, amounted to $2,680,000,000, to say nothing of the cost to the South. Again, since 1860, we have consumed wealth in a far higher ratio than ever before, the general standard of comfort having risen notably all over the whole country. Of course it was not the war that caused this wonderful increase; war destroys life and property, wastes but does not build up. But the war made a tariff necessary, and the tariff stimulated all kinds of industries; it compelled us to apply our own labor to our own forests, mines, and farms. Thus the straits in which we found ourselves on the outbreak of the war compelled us to put in execution the advice given by Franklin, Madison, Jackson, and, I may add, Jefferson. The advocates of the tariff had always maintained that it would have the effect of producing wealth; its enactment was, as a matter of fact, followed by an unexampled increase of wealth. Is it not, then, perfectly logical to conclude that the tariff, the policy of protection, is the cause of the increased wealth? That this is so can, I think, be easily proved.

Suppose that after the war the United States had repudiated the policy of protection and adopted the policy of the South, exporting all their surplus crude products and taking in exchange

England's manufactured goods. What would have been the result? The national debt would of necessity have been repudiated also, for where should we have found the money to pay the interest? Our farmers, herders, cotton and sugar planters, and petroleum producers could not have paid it. Who else, pray, would have had any money? What other industries would have remained? Consider the condition of the national finances at the beginning of the conflict between North and South, before protection had come to supply the sinews of war. Here we had been buying in the cheapest market, had been practically free-traders, with a tariff for revenue only; and on the theory of the free-trade economists we must have had abundance of money, not having been compelled to pay to "monopoly" exorbitant prices for the goods we consumed. But the figures already quoted show that at that time our wealth was not much more than one-fourth what it was in 1880. To-day, on the other hand, the grievance of the tariff-reformers is, that the treasury is overflowing. There was no surplus in 1861. The government, in fact, was unable to pay the interest, soon after the outbreak of the war, then due to its bondholders, and the banks of New York City had to come to the rescue. But the nation that in 1861 was on the verge of bankruptcy, and in the four years following had incurred an enormous debt, so far from being obliged to compromise with its creditors, has ever since been paying its debt, principal and interest with a punctuality that is only too exemplary. A study of the condition of the treasury in 1860 and in 1883 respectively, as set forth in the following table, is instructive:

In 1860 the surplus was		$4,877,885.57
The bonded indebtedness		64,640,888.00
1883.		
National debt June 30, 1865		$2,680,000,000.00
Interest paid on debt from June 30, 1865, to June 30, 1882		2,047,500,000.00
		$4,727,500,000.00
Total debt with accrued interest June 30, 1883	$1,896,481,110.40	
Less cash in treasury	345,389,902.92	1,551,091,207.48
		$3,176,408,792.52
To which add premium paid on gold to 1879,		409,000,000.00
Total amount paid		$3,585,408,792.52

Thus in 1860, after nearly half a century of peace, unbroken save by the slight difficulty with Mexico, we had a surplus of less than $5,000,000, while our bonded debt was nearly $65,000,000. But the best measure of our financial weakness is seen in the high rate of interest we had to pay—5½ per cent. on the average. Such was the financial situation when we were about to enter on the greatest war of modern times, which brought into combat two million men. Our condition to-day, as regards credit, wealth, population, and development, is the result of the policy that imposes a tariff without regard to revenue, a tariff that encourages the application of our own labor to our own resources. We have in the treasury upward of $345,000,000, and so strong is the credit of the United States that were the treasury to issue bonds at 3 per cent., they would be taken up immediately at par. Such is the result of nineteen years of peace and a protective policy, after repairing the ravages of war and paying in principal and interest more than $3,500,000,000 upon the debt incurred on account of the war; the rate of interest having been reduced in the meantime 25 per cent., to the advantage of the whole people.

Nor is it difficult to account for this extraordinary prosperity. All commercial exchanges are in reality exchanges of one commodity for another, and the holders of each of the commodities that are exchanged look for a profit in the transaction—the buyer as well as the seller. If we buy in America the commodities we need, both of these profits remain with us; but if we buy in England, the profit of the seller remains there; and if we sell in England, the buyer's profit remains in England. Under the protective tariff, the profits of all the exchanges of fifty-five millions of people are kept at home. Take for illustration the "monopoly" of steel-rail making. Up to 1867 no steel rails were made in America; we purchased all our steel rails in England, leaving to the English makers the whole of the seller's profit. The prices of steel rails, free on board, in English ports, from 1863 to 1875, per ton of 2,240 pounds, as stated in "Poor's Railroad Manual," were as follows:

1863	£18	9*s.*	$89.79	1870	£10	7*s.*	$50.37
1864	17	12	85.65	1871	11	6	54.99
1865	16	7	79.56	1872	13	18	67.54
1866	14	10	70.56	1873	16	9	80.05
1867	13	10	65.70	1874	13	2	68.75
1868	12	12	61.32	1875	9	2	44.28
1869	11	6	54.99				

Between 1867 and 1880, inclusive, steel rails were produced in the United States in the following quantities: In 1867, 2,550 tons; 1868, 7,225 tons; 1869, 9,650 tons; 1870, 34,000 tons; 1871, 38,250 tons; 1872, 94,070 tons; 1873, 129,015 tons; 1874, 144,944 tons; 1875, 290,863 tons; 1876, 412,461 tons; 1877, 432,169 tons; 1878, 550,398 tons; 1879, 683,964 tons; 1880, 954,460 tons. At a valuation of $65 a ton, this represents $245,961,235 paid for steel rails, and all the profit remained at home. On the other hand, while we were purchasing rails from England, we were sending her our cotton, breadstuffs, and meat, and paying her ships to take these products to market. She was sending us back steel rails and manufactured cotton goods. Corn was then worth fifty cents a bushel, and steel rails eighty dollars a ton; so we were giving her one hundred and sixty bushels of corn for one ton of rails. The tariff encouraged capitalists to invest in making steel rails in this country, and so far from establishing a monopoly, it has given rise to the keenest competition, so that sixty bushels of corn will purchase a ton of steel rails, and the other one hundred bushels are saved; or we can now purchase two and a half tons of rails made at home for the same amount of corn that used to be paid to foreign manufacturers for one ton. We have reaped for our own people all the profits of the several operations involved in transforming iron ore into steel rails. And as the ore, coal, and limestone that go to make a ton of steel rails are worth, in the mine and in the quarry, only $1.25, the difference between $1.25 and the market price per ton of steel rails represents the wages paid to labor, and the interest on capital. These facts are conclusive as to the benefit of the protective tariff, save in the eyes of the "revenue reformers," who, as a rule, are neither manufacturers, nor farmers, nor mechanics; they are non-producers, living by barter of the products of labor. I call attention now to a few figures on iron production:

In 1870 we took from the mines:		In 1880 we took from the mines:	
Of ore	3,655,215 tons.	Of ore	7,709,708 tons.
To smelt this into pig required:		To smelt this into pig required:	
Of limestone	1,500,000 "	Of limestone	3,169,149 "
Of coal	4,500,000 "	Of coal	8,981,553 "
Of coke	1,000,000 "	Of coke	2,277,555 "
			22,137,965 "
Making of transportation more than	10,655,000 "		

These figures show an increase in ten years of ninety-eight per cent., making a total of more than 22,000,000 tons of transportation in one year, merely to change the ore into pig. Have the men engaged in transportation no interest in this? Shall we leave these 22,000,000 tons of ore, coal, and limestone buried in our own soil, and encourage their development in a foreign land, simply because labor is cheaper? Will any one say what the effect would be to this nation of drawing each year from our financial resources, and sending money abroad to purchase our annual supply? Would not this increase the cost of iron in the country we purchase it from? Shall all this transportation, shown to be so immense, be done in this country, or in a foreign one? And what would be the loss to our inland carrying trade if this vast freightage from the mine to the furnace were shut off? In fact, the whole freight would go to foreign ship-owners and foreign railroads, if we used foreign iron. These 7,709,708 tons of ore, which were worth but thirty cents a ton in the mine, were increased in value to $100,557,685, when they had merely been converted into iron and steel billets and muck bars. The value that this ore would attain when worked up into all the conceivable forms for use, from the plow to the knife-blade, from the axe to the surgeon's lancet, and from the ship-plate to the watch-spring, cannot be estimated. But what has been applied to create this value? Labor, nothing but labor; in producing this, we retain both profits at home, we exchange our bread and clothing for our iron.

But, with this wonderful development, did the tariff encourage a monopoly? The following official figures prove that there was no monopoly. We sold the articles to the consumer 25 per cent. cheaper than when we had a tariff for revenue, in the years from 1855 to 1860. What is true of iron and steel as to reduced cost, is equally true of cotton and woolen goods, boots, shoes, and clothing, when quality is compared.

AVERAGE WHOLESALE STORE PRICES OF BEST REFINED ROLLED BAR-IRON AT PHILADELPHIA, FROM 1855 TO 1861 AND FROM 1880 TO 1884:*

Years.	*Prices.*	*Years.*	*Prices.*
1855	$74.58	1860	$58.75
1856	73.75	1880	60.38
1857	71.04	1881	58.05
1858	62.29	1882	61.41
1859	60.00	1883	50.30

* Compiled by the American Iron and Steel Association, from the sales-books of several prominent Philadelphia iron merchants. Per ton of 2240 lbs.

AVERAGE PRICES OF NO. 1 ANTHRACITE FOUNDRY PIG-IRON AT PHILADELPHIA, FROM 1855 TO 1861 AND FROM 1880 TO 1884. PER TON OF 2240 LBS.:*

Years.	*Prices.*	*Years.*	*Prices.*
1855	$27.75	1860	$22.75
1856	27.12	1880	28.50
1857	26.37	1881	25.12
1858	22.25	1882	25.75
1859	23.37	1883	22.37

At the same time the wages of the workingmen increased, as appears from the following table, compiled from the pay-rolls of the largest iron works in New York City, viz., the Delamater Iron Works, W. & A. Fletcher Co., Cobanks & Theall, J. B. & J. M. Cornell, Quintard Iron Works, and the Morgan Iron Works:

WAGES PAID TO EMPLOYÉS IN IRON WORKS.

	1855 *to* 1860.		1879 *to* 1884.
Pattern makers	$2.28	....	$3.27
Machinists	1.63	....	2.66
Molders	2.12	....	3.05
Flange turners	2.30	....	3.00
Blacksmiths	2.30	....	2.70
Blacksmiths' helpers	1.10	....	1.70
Boiler makers	1.58	....	2.50
Boiler makers' helpers	1.00	....	1.50
Boys	.55	....	1.00
Laborers	1.05	....	1.70

Thus wages averaged about forty-five per cent. more from 1879 to 1884 than from 1855 to 1860, and the product of this labor is selling now twenty-five per cent. cheaper than it was then.

But the tariff reformers are crying out "overproduction" and "monopoly" at the same time, to suit different audiences,—"monopoly" to the farmer and overproduction to the workingman. If we were buying annually 100,000,000 bushels of grain, would there be an overproduction of grain? Certainly not. They again cry out, "We want a foreign market for our manufactures." So we do, but we must supply our home market first. We don't do that, as the following figures will show. If we cannot undersell the foreign manufacturers in our own market, how can we undersell them in a foreign market, when extra cost is put on the price in the shape of freight, commission, and ex-

* Compiled by the American Iron and Steel Association.

change. It would be far more sensible to reform the tariff so as to supply this 525,000,000 and more of imports, than to fly to evils we know not of. The articles in the table are supplies to our common every-day use, and should be made at home:

TABLE OF IMPORTS.*

Years ending June 30.	*Cotton Goods.*	*Woolen Goods.*	*Iron and Steel and manufactures of*
1883	$36,853,689	$44,274,952	$40,796,907
1882	34,351,292	37,361,520	51,377,633
1881	3,219,229	31,156,426	46,439,747
1880	29,929,366	33,911,093	53,714,008
1879	19,928,310	24,355,821	9,447,148
Totals	$152,281,986	$171,059,812	$201,774,543
Total			$525,116,341

Should not North Carolina, Alabama, and Georgia, with their abundance of coal, iron, and cotton, be manufacturing the above goods, making a home market for their cotton and bread, keeping the profits of cotton and corn growing and manufacturing at home, and giving a variety of employments to their own people?

The encouragement of home industry has attracted to this country a vast multitude of laborers from Europe, the immigration from 1865 to 1883 amounting to six million souls, of whom four millions, male and female, are able-bodied workers, adding enormously to the sum of our national wealth. At the same time, our mineral resources throughout the country have been developed, and this has led to the construction of lines of railroad in every direction, opening up to settlement regions that else would have remained uninhabited and unimproved. Every new center of manufacturing or mining industry necessitates bringing new tracts of land under cultivation, and opens a new market for the products of the farm; and the farmer can always obtain remunerative prices for his crops.

There remains of the national debt, less cash in the treasury, $1,551,091,207.48 yet to be paid. No business man ever considered that he had a surplus until he had enough in the bank, or under his control, to pay his debts. But the govern-

* Compiled by Joseph Nimmo, Jr., Bureau of Statistics, Treasury Department.

ment did not anticipate this wonderful prosperity. It made its bonds longer, not anticipating its ability to pay its debt so soon, and the holders of these bonds will not surrender them except at a large premium. What a grand position this is for a government to be in, when a few years ago its credit was so poor. But what is this wonderful surplus in the treasury that these reformers are talking about? One hundred millions a year. And they are talking of the robbery imposed on the poor man by these taxes to create this surplus. The population of the United States is about fifty-five millions, therefore it would be about one dollar and sixty cents a head per annum. Is not this a terrible grinding tax to complain of? But on what is this tax collected? On foreign goods. How is it divided among the population? How much of it does the commonest laborer, who gets only a dollar and a half a day, pay on the imported goods that he buys? How much does the mechanic pay who gets three dollars a day? These two classes of men produce these things, and the goods are dearer because our workmen are better paid than foreign labor where the goods are produced; therefore the protection on the goods is for their labor. How many of these imported articles does the man buy who has an income of from $5000 to $25,000 a year, but labors not with his hands? Free trade would be good for him, for with free trade he could buy cheaper. But the tariff-reformer is all the time crying out how the poor man is ground down by this law, which taxes a man $1.60 a year and places this surplus in the treasury. But deduct the share of taxes the rich man pays,—and he is the largest purchaser of these imported goods,—and how much of the dollar and sixty cents does the poor man pay?

The taxes paid by the people of the United States for the support of this government, and the sources of those taxes, are as follows:

Total Internal Revenue collected in 1883, from all sources		$145,158,922
On spirits	$74,368,775	
" Tobacco	42,104,250	
" Fermented liquors	16,900,616	
" Banks and banking	3,748,995	
From sale of adhesive stamps	7,658,000	
From all other sources	378,286	
		$145,158,922

Internal taxes collected in	1865	$211,129,529	
" " "	1866	310,906,984	
" " "	1867	265,920,475	
			$737,956,938
Internal taxes collected in	1881	$135,779,365	
" " "	1882	147,093,383	
" " "	1883	145,158,922	
			$428,031,670

Our principal sources are from customs duties, which amounted last year to $214,706,496, and from internal revenue tax, $145,158,922; from which are paid all the expenses of the government, including interest on the public debt; the balance being turned into the treasury to meet liabilities as they become due, and to form a sinking fund for the ultimate payment of the nation's debt. So that, while our population has nearly doubled, and our wealth also, our internal taxation has decreased nearly one-half. As the principal part of this taxation is on liquors and tobacco, it is very plain that a man's tax is nearly proportioned to the amount of those luxuries that he uses.

But it is asserted that our protective tariff is ever making the rich richer and the poor poorer, by constituting monopolies and by adding to the cost of the necessaries of life. No doubt there are larger fortunes in America to-day; but how little a sum is the wealth of all the millionaires in comparison with the wealth of the whole people, invested in improved farms, bank deposits, workmen's homes, manufacturing establishments, public highways, institutions of learning, common schools, churches, etc. There was, in 1883, according to the report of the savings-bank examiners, $500,000,000 on deposit in New York State alone. To whom does this belong? Besides this, there was last year over five millions of dollars sent out of this country by the immigrant population to aid their needy kinsfolk in their old homes. Have the farmers been robbed in the interest of "monopoly," as the tariff-reformers are all the while crying out? Certainly they seem to enjoy a far higher degree of comfort now than they did twenty or thirty years ago; the earnings of farmers are more than twice as much now as they were in 1860. The census shows that in 1859 the aggregate value of the products of agriculture was $1,675,724,972; in 1879 it was $3,726,331,422. And it is a very significant fact,

observed by Mr. J. A. Dodge, statistician of the Department of Agriculture, that there is "in every State, without exception, a higher average value of farm land in that portion of each State which makes the largest value of the products of manufacturing industry." The prices of the leading agricultural products, in 1860, 1880, and 1882, respectively, were as follows:

Products.	1860.	1880.	1882.
Wheat, per bushel	$0.72.0	$0.95.1	$0.88.2
Corn, per bushel	.43.0	.39.6	.48.4
Oats, per bushel	.25.0	.36.0	.37.5
Rye, per bushel	.52.0	.75.6	.61.5
Buckwheat, per bushel	.58.0	.59.4	.72.9
Barley, per bushel	.55.0	.66.6	.62.8
Potatoes, per bushel	.40.0	.48.3	.55.7
Tobacco, per pound	.05.0	.08.2	.08.4
Cotton, per pound	.09.3	.09.8	.09.9
Hay, per ton	8.00.0	11.65.0	9.70.0

All other farm products have advanced in price in about the same proportion. The average production for each farmer, too, was much greater in 1880 than twenty years before. In 1860 the value of each farmer's production was $638; in 1880 it was $852. The condition of the farm laborer has also been improved. Twenty-five years ago his wages amounted to about $14 a month, with board; in 1882 it was $18.58; an increase of fully twenty-five per cent. Have the farmers been compelled to pay more for the articles used on their farms? Mowers, reapers, and threshing-machines can be purchased for twenty-five per cent. less now than in 1860. Cotton and woolen goods, boots and shoes, and all kinds of clothing are cheaper, as every farmer and his wife well know.

As for the complaint that "monopoly" has grasped all the means of acquiring wealth, it is sufficient answer that neither law nor custom nor caste exists here to prevent any man, black or white, native or foreign, from entering any honest field of industry that he may elect. If any monopoly exists, the free-traders themselves are surely to blame, for they have in their own hands the means of effectually abolishing it. Many of them are men of wealth. Let a company of free-traders go to Alabama, where they can get cotton without tax, and where they will find coal and iron as favorably situated for exploitation as anywhere in the world. Let them start a cotton-factory,

paying the same rate of wages that is paid in the rest of the country, and the same interest on capital; let them also start a furnace and a rolling-mill; and then let them sell all the manufactured products as cheap as they are sold in England. By this simple experiment they will do more to establish the doctrine of free trade in this country than they may ever hope to do by all the public meetings ever held and all the pamphlets ever published.

One of the principal arguments urged in favor of a twenty per cent. "horizontal reduction" of the tariff, is the necessity of reducing the surplus in the treasury; but such horizontal reduction will probably increase the surplus, instead of diminishing it. At present, our imports amount to about $700,000,000. Under our present tariff, why were these goods imported? Because they could be sold, after paying the duty, cheaper than we could make them ourselves, unless we both lowered the wages of labor and could get capital at a lower rate of interest. Our own manufactures for the year ending June 30, 1883, are estimated at upward of $7,800,000,000, and under a twenty per cent. horizontal reduction of the tariff doubtless fifty per cent. of these goods would be imported from abroad. Add the present importation of $700,000,000 to this fifty per cent., and our total importation would amount to $4,650,000,000, less the difference in price between foreign and American manufactured goods. On this sum levy eighty per cent. of the existing tariff, and the result would be a revenue six or seven times as large as that which now goes into the treasury, and the problem of the surplus would become more troublesome than ever. The cry then would be to reduce the tariff further and further, till we had become a community devoted exclusively to the most elementary industries, and so poor that we could not import; then the surplus would be reduced by our inability to buy foreign goods. This, according to the political economists of England, should be the aim of America. Says A. J. Wilson, in his "Resources of Foreign Countries":

"There is no use in denying the plain fact that the States have succeeded, by their high-tariff policy, in diverting a considerable part of the industrial energies of the community from the pursuits natural to, and most profitable in, a new country, to the highly artificial and, for America, mostly very expensive industries of long-settled and civilized nations. Were the sheltering tariff swept away, it is very questionable if any, save a few special

manufactures of certain kinds of tools, machinery, railway cars, and fancy goods, and a few of the cruder manufactures, could maintain their ground."

I ask the advocates of a tariff for revenue, or the free-trade opponents of the sheltering tariff that Mr. Wilson refers to, if that is the condition of things they would like to see existing in America. What would become of the 5,000,000 workmen and 8,000,000 wives and children who depend on them for support, if Mr. Wilson's views were to take effect? Send them from the workshop to the cotton and corn fields, and effect an over-production in that industry, that we might break down our own market, and glut the English market with our cheap cotton and corn? Says the "Liverpool Cotton Circular":

"This country has suffered very severely of late years from the increasing stringency of foreign tariffs. There has been a growing tendency evinced in most countries to protect their own industries, and in every such case we are the chief sufferers, for we live, as already said, by exchanging our manufactures for the necessaries of life. The United States was at one time a large customer for our iron-ware and textile fabrics; but the hostile tariff she has enforced since the civil war has nearly driven us out of her markets, and has built up a vast system of manufactures which completely supplies her own wants, and leaves something to spare for competition with us in foreign markets. The free-traders of this country console themselves by thinking that she is the chief sufferer; but whether this be so or not (which is very doubtful), the fact remains that her markets are almost lost to us, and we, on the other hand, are constantly more dependent upon her for food and raw material. For this we have no means of paying, except by money or bonds, or indirectly by our credits with China, Brazil, and other countries, from which America imports tea, sugar, etc. Our colonies all follow in the wake of the United States, and do their best to stimulate their own manufactures by closing their markets against ours."

And the London correspondent of an American journal writes:

"The announcement of the introduction of bills in the House of Representatives at Washington, proposing the reduction of iron duties, rouses the liveliest hopes among British manufacturers. Leading journals in the iron districts hail the prospect of once more arresting the present development in American iron and steel manufacture. The 'Newcastle Chronicle' declares it has reason to entertain great hopes of the success of these measures. It considers the free admission of iron ore as intended to secure a Canadian supply, but it would result in increasing the ore imports from England and Spain. If free ore were secured, free coal would necessarily follow, with a general increase in English exports. The 'Chronicle' declares these measures to be the most important news cabled for a long time. The 'Economist'

says the effect upon the English iron trade would be enormous. It fears lest the proposals may be too favorable to English trade to have any chance of adoption."

I have given the opinions of English authorities upon the advantages to England derivable from the "reform" of our tariff. I now quote the late Confederate General Richard Taylor, giving another "outside" view of our tariff policy. The Englishmen and the Confederate soldier very clearly see where they are both hurt by our tariff. It ought not to require much argument to prove to Americans that what hurts these friends of the United States is very likely to benefit this country. Says General Taylor:

"We made two great mistakes. Had we avoided them, we should have conquered you. The first was, that we did not substantially destroy the protective features of the tariff in the winter session of 1857 and 1858, by an act which provided a rapid sliding-scale to free trade. . . . We could have passed such a law, and held it tight on you till it closed the furnaces, workshops, woolen and cotton mills, and steel and bar-iron works of the whole North and West, and scattered your workmen over the prairies and territories. When the war was ready for you, you would not have been ready for the war. You could not have armed and equipped and put in the field a large army, nor built a navy. You would have been without supplies, machinery, and workmen, and you would have been without money and credit."

What is the difference between the contention of our free-traders to-day and the policy that, according to General Taylor, a sagacious statesmanship should have suggested to the Southern leaders when they meditated secession? There is no difference in principle between the two; the only difference is in the motives that actuate them. I am far from imputing to American free-traders a purpose to cripple the Union, so that we may be defenseless in war; nevertheless, that would be the inevitable result, should the people of the United States suffer themselves to be overpersuaded by the specious arguments of the tariff reformers. Are not our American free-traders' views in strict harmony with the free-traders of England that I have quoted, who are working in the interest of England against the United States.

Of course a people who have not at home the resources necessary to provide food, clothing, raw material of manufactures,

etc., must import these things from abroad; and for a country so circumstanced, free trade may be an absolute necessity. It is a necessity for England, at least under its present social conditions; possessing great stores of iron and coal and a vast and highly developed manufacturing system, but not capable of producing food, wool, or cotton sufficient to meet the demands of its population; and having besides a vast commercial marine, which can find profitable employment only in effecting the exchange of its manufactures for the food products and the raw materials of other lands. England is for free trade in wheat, etc., for she cannot by any legislation increase her product; also in lumber, as she cannot increase that product; and cotton, which she cannot grow herself. She is for free trade in coal and iron, for she can produce these cheaper than any other country in the world, on account of her cheap labor, and the short distance that she has to haul them. She is for free trade in ships, because she can build them cheaper than any other nation; but in running them she is the most radical protectionist in the world, for, in order to break up the shipping of other nations, she has paid over $260,000,000 in the past thirty years — five times as much as any other nation — in the form of subsidies to break down her competitors on the seas. But the United States are very differently circumstanced, having practically inexhaustible mineral wealth, and a boundless area for agriculture. Why should we turn our backs upon this bountiful provision of mineral wealth, these many fields of enterprise opened to us, or be content with exercising our energies in a few fields of industry, as agriculture, stock-raising, and petroleum-exploitation, leaving our natural resources undeveloped, and our capacity for diversified industrial pursuits unexercised? Must we not rather provide here a career for every talent, and work out the problem of the highest civilization obtainable by man? An American should not have a word to say for free trade till he has thoroughly studied the resources of his own country. It were a disgrace were we to leave undeveloped, like the red Indians, the vast resources of America; and, while we possess the gifts of nature in greater abundance than any other nation on earth, go abroad for that which by industry we may produce at home.

JOHN ROACH.

OUR country has had a larger experience in the matter of fiscal policies than any other. Nine times in less than a century it has shifted from protection to free trade, or some compromise between the two, and back again.* Now, after a longer persistence in the protective policy than in any policy previously, it is asked to abandon it, in the face of evidence that it is the road to national wealth, industrial independence, and a closer union of the nation. The Democratic National Convention calls for "taxation for public purposes exclusively," at once aspersing the protective policy in terms familiar to free-traders, and demanding its abolition.

The fundamental difference between the protectionist and the free-trader is, that the former believes in legislation that shall give direction to the nation's industrial growth, while the latter holds that that direction may and must be left to the intelligence of individuals acting for their private interests. Protectionists claim that the nation has the intelligence and the authority to effect a coördinate development of its industries by law, and that the general interest will be served by its use of these. The present discussion is confined to this last point.

That a diversified industry is necessary to the national well-being, has been conceded by free-trade authorities from Adam Smith's time till our own. We may take it for granted, therefore, that no class of Americans would be content to see our people employed, as they were a hundred years ago, in agriculture and the ruder mechanic arts exclusively. If any proof is needed of the misery of a country in that condition, it will be found in the history of the decade of 1780–1790. The fathers of the Republic, in their efforts to raise its people from the poverty, discontent, and turbulence into which the country was sinking, created a national government empowered to extend to the industries of the country that protection for want of which they were expiring. They gave Congress "power to lay and collect taxes, duties, imposts, and excises, to pay the debts, and provide

* In ninety-five years the country has had sixty-three of protection and thirty-two of free trade, or a compromise. The former came in the years 1789–1801, 1812–1816, 1824–1835, 1840–1847, 1860–1884.

for the common defense and general welfare of the United States." The first Congress, consisting largely of the authors of the Constitution, passed a law to levy duties on imports "for the payment of the debts of the United States, and for the encouragement of American manufactures." The author of that bill was James Madison, the expounder of the Constitution. The free-trade theory was urged on the Constitutional Convention by a club of gentlemen who had imbibed the ideas of the French physiocrats at whose feet Adam Smith studied, but it met with no support.

That a country situated as was America could have made its beginning as a manufacturing nation without the collective action of its people through their government, is a supposition contradicted by uniform experience. At that time the state of the markets was such that England and France stood ready to supply us with everything except the rudest articles, at a price with which our own producers could not compete. Buying in the cheapest market as a fixed policy might have resulted in keeping America on the industrial level of Ireland, Turkey, and India, to the neglect of the natural resources for manufactures in the products of our country and in the genius of our people. The situation of 1780–1790 differs from that of to-day only in degree and in detail; every return to the policy of that unhappy decade has resulted in a return to something of its miseries.

That the fivefold increase of American manufactures in two decades has been due to our persistence in the tariff policy, is a proposition that hardly admits of question. This growth is the more remarkable, since the policy of the nation in the matter of land-sales has been such as to offer a high premium upon the increase of agriculture, and to impart to that industry a stimulus far more powerful than any tariff could give to manufactures. The offer of a homestead to every *bona fide* settler on the public domain amounts to giving the farmer the site of his industry, and the most important of his raw materials, at a nominal figure. The offer has drawn settlers by millions; and nothing but the compensations of the protective tariff has prevented such an exclusive direction of capital to farming as would have made our situation most difficult. That the quality of our manufacturing has been good, is affirmed by our rivals. Dr. Playfair,

in an article critical of our tariff, has expressed his admiration for the honesty and thoroughness of our work, finding in this a survival of the old Puritan spirit. Professor Rouleaux, in his letters on the Centennial Exhibition, bears the same testimony, but ascribes it to our tariff policy, which he says has kept us from accepting the ideal of cheapness taught by English free-traders to Germany and other countries.

That protection has discouraged commerce, is asserted by some who use that word in the narrow sense of international interchanges only. If commerce mean "the exchange of services and commodities between persons of different industrial function," then the protective policy has been a powerful promoter of commerce. It has diversified functions within the nation, lifting our people above the uniformity in which no man needs or helps his neighbor, into a state of mutual interdependence that is modifying our political as well as our industrial life. At the opening of the late war, Mr. Henry C. Carey showed President Lincoln a railroad map of the country, and pointed to the long lines that stretched across the land, always to the sea-coast, while few or none ran north and south to bind the sections in one Our railroad system took its first shape under the tariff of 1847; under that of 1860 the lines begin to run southward, adding the warp to the woof.

As to our foreign commerce, its amount has increased five hundred per cent. in the same time that England's has increased three hundred and fifty per cent. If we export too much food and raw materials, and too few manufactured goods, this may be traced to two causes. We have neglected the development of our carrying trade on the ocean, leaving our shipping entirely outside the protective system, with the result that protectionists would have expected. As a consequence, the manufacturers of the country have not enjoyed facilities for getting their wares before the world, and we have sold only those things that the countries rich in shipping must take of us. This kind of commerce has also been stimulated by our land policy.

To agriculture, the protective policy has secured a home market for its products more constant and remunerative than it could get without. The foreign consumer of our wheat, etc., seeks in all quarters for a producer that will sell more cheaply than we. In India the ryot's income averages thirty shillings a

year, and consequently wheat can be raised more cheaply there than in Minnesota. But the American artisan has no choice; he eats an American loaf. Under a free-trade policy we should have left the artisans we employ in Europe, and fed them only so far as the competition with Hindoo ryots and Hungarian or Russian peasants permitted; by protection we have brought them to our own shores and made them the farmer's best customers. If the tariff were deprived of its protective character, many of these would be obliged to become farmers, or leave the country. Is the farmer to be benefited by converting his customers into his competitors, or banishing them? Is it not to his advantage to have about him a great body of persons who are not living by farming? That he is benefited by the policy that brings the artisan into neighborhood with him, is shown to demonstration by the statistics recently published by the Agricultural Bureau. The annual value of a man's labor in farming, and the value of land per acre, are inversely proportional to the concentration of labor upon agriculture exclusively. Where three-fourths of the people are farmers, two do not produce as much as one does in our manufacturing commonwealths. Mississippi has no county that produces a million dollars' worth of farm products; Massachusetts has but two that produce less than ten millions' worth. My own conversion from free trade was completed in 1867, at a meeting called in a Western town I was visiting, at which the farmers were clubbing their savings to set up a cotton-factory. I found their reasonings unanswerable.

The effect of the protective policy on the condition of the American workman is a matter of growing interest, since that policy is increasing the number and influence of this class, and is forcing attention to its wants and wishes. Before 1848, little heed was given to the wage-earners, and no statistics were collected as to their condition. It is said that they are well off for reasons with which the tariff has nothing to do, because of the natural advantages of the country, and the consequent high productivity of labor; and that they always have had an easy time in a country where there is plenty of land and abundance of natural resources of all kinds. But the closer students of our social development hold a contrary opinion. The picture of the artisan's condition a hundred years ago, given us by Mr. Mac-

Master in his "History of the American People," and that of fifty years ago by Mathew Carey in his "Letters on the Charities of Philadelphia in 1829," are amply confirmed by what is told by those who remember the rise of the manufactures of New England. The American workman of that day was hardly, if at all, better off than his English competitor. He was ill paid, fed, clothed, and housed; and the facilities for the education of his children were of the poorest. In some cases the children of the poor ran naked all summer, to save their scanty clothes for winter. People died of absolute want in our cities every winter, and the wages of women were twenty-five cents a day. The condition of our working classes at present is not all that it should be, but it is so much above the European level as to be a matter of just national pride. The evidence of the difference is furnished by our consular reports, by Mr. Porter's valuable letters, and by the volume on wages in the census of 1880.

That this high average of comfort could be maintained in the absence of protection is not maintained by free-traders generally; it is not a defensible proposition. Our difference in this respect corresponds to the political difference between democratic America and monarchical Europe; and the abolition of discriminations in favor of American labor must result in bringing our work-people down to a level at which their brethren are held in countries where equality has never superseded privilege. The good estate of our laborers is not a matter of economic advantage merely. It tends to check the spread of discontent and of subversive social theories; it enables them to live a more human life in family, church, and state, and to feel that they are not the forgotten and insignificant fragments of mankind, but a respected and valued part of our citizenry.

The great objection to protection is, that "it raises the prices of manufactured products, thus taking away with one hand all it seems to give with the other. It enables the producers of manufactured goods to levy upon the consumer a tax nearly equal in amount to the duties assessed by the Government upon the imported article, while 'taxation should be for public purposes exclusively.' It is anti-social; for the interest of the producer, which it seeks to promote, is the interest of a class, while that of the consumer, which it ignores, is the interest of society. And the interest of the consumer is cheapness simply." That the interest

of society is in cheapness simply, is open to doubt. An essential character of those periods of depression that we call "hard times" is the cheapness of all commodities. While a small percentage who live on fixed incomes, and are independent of the prosperity of producers, may find such times enjoyable and wish for their continuance, this is not true of the community at large. It watches for an "improvement in prices," by which it means a rise. Even our free-traders are inconsistent enough to dislike hard times, to abuse the tariff as the cause of a condition of things that they should have regarded with the liveliest satisfaction,—as though protectionist countries had any monopoly of hard times, or the tariff were a device to make men wise as well as rich.

Countries that have large classes living on fixed incomes will have many free-traders. In America we may say of this class, *De minimis non curat lex.* American interest lies in the relation of price to price. A man complained that what cost but a shilling in Ireland, cost a dollar in America; but he came to America because he could get the dollar more easily than the shilling. He had labor to sell, as we all have something to find a market for. We all are the better for a policy which, if it makes things a little dearer, gives us a chance when we come to sell. Our friend Thomas Hughes treated us to this shilling-and-dollar argument when he was last in Philadelphia. A dollar is something over four shillings; our duties on imports do not average more than sixty-six per cent., if so much; this leaves two shillings and fourpence to be accounted for, if Mr. Hughes found the American dealers asking him a dollar for what he paid a shilling for at home. I have not the least doubt of his correctness. My own family remarked the same thing, when we tried to indulge the preference we brought from home for certain articles of English make and fashion; a shilling corresponded to a dollar. But that was in the summer of 1857, under the nearest approach to free trade that this country has ever had.

The notion that protection enables a manufacturer to make excessive profits by adding the amount of the duty to the price of his goods, and thus to levy taxation for other than "public purposes exclusively," is contrary at once to the facts and to the teaching of all the great free-trade authorities, although it has

become a commonplace of free-trade argument in America. Adam Smith and his school even argue against protection from the fact that the home competition, with which the tariff cannot interfere, must pull down profits to the average level, by attracting capital into any channel in which they are excessive. A prohibitory tariff could do no more than put our country into the position it would occupy if there were no other manufacturing countries. But even then there could be no monopoly of production; much less can there be such under a tariff that only restricts importation.

I have written as if I conceded that a protective duty always enhanced prices, with the view of showing that, even if it did, the balance of benefit would be in its favor. The statistics of prices in 1860 and 1880, however, show that the great staples are cheaper now than before the tariff was adopted. A protective duty often does its work without adding anything to the price that the consumer has to pay for the article. If it suffice to reduce the profits of the trader to the point at which he finds it more profitable to deal in home than in foreign products, it is enough. Many New York houses that once dealt in English goods only, now sell little or nothing but what is of American make. They once were zealous for free trade, but now are at least indifferent, for they know that they are selling as cheaply as before the tariff turned the current of business. And they know that the preëminence of New York is not more due to her favorable situation for commerce, than to her position between Pennsylvania and New England, and to her own rapid rise in rank as a manufacturing center. The same is true of Chicago. On the other hand, the removal of a duty may change the course of business to our disadvantage, without cheapening the product to the consumer. Inquiries made by Mr. Chace, of Rhode Island, go to show that the removal of the duty on quinine has not made it cheaper at retail; it simply has enabled the less honest class of druggists to fill prescriptions with the cheaper German and French preparation, and to make a larger profit at the expense of the sick.

The influence of protection on the balance of trade, on mechanical invention, and in the matter of national defense, is of equal importance; but space forbids its treatment here.

ROBERT ELLIS THOMPSON.

THE reduction of the national revenue effected by the act of March 3, 1883, was $50,488,848 during the fiscal year recently closed. Notwithstanding this large reduction, the surplus applicable to the sinking fund and reduction of the public debt was $102,300,156, and without any change of existing laws will not fall below $80,000,000 for the fiscal year ending June 30, 1885. To distribute the payment of the national debt more equally over the twenty-three years before which the last series of bonds are payable, there is a general concurrence of judgment that it is desirable to further reduce the revenue.

Whatever reduction may be made in internal revenue taxation, it will be necessary to also make some modifications of the tariff, not only with the view of diminishing the receipts from duties on imports, but also for the purpose of correcting such incongruities in the last revision as have been disclosed by its practical workings. There is a radical difference of opinion, however, as to whether these modifications shall carefully preserve the principle of protection to home industries, or shall be conformed to the theory that "protection is robbery" and revenue the only object to be kept in view in the imposition of duties on imports.

So far as duties are imposed on articles not produced or made here, like coffee, tea, spices, and jute, no question of protection can arise. Such duties must be solely for revenue. Even in the case of articles like sugar, produced here in limited quantities because of the disadvantage of climate, the duty imposed is practically for revenue only. It is on such articles as these, that enter into general consumption or form the materials of manufacturing industries, that duties can be wisely reduced so as to diminish revenue and work a positive advantage to the people.

The protective principle applies only to such merchandise as can be produced or made here to the extent of our wants, without serious disadvantage of climate, soil, or other natural conditions. Its object is to encourage the establishment and growth of home industries congenial to our climate, by levying duties on foreign goods sufficient to offset the advantages foreign manufacturers possess by reason of their cheaper labor, more abundant capital, and longer experience. Such protective duties encourage the consumption of home-made goods and discourage impor-

tations of foreign manufactures. This, necessarily, brings less revenue to the treasury from these articles than would have been secured if the duty on such goods had been fixed at a rate low enough to enable foreign manufacturers to more generally supply our markets. The maximum revenue point is necessarily that rate of duty which affords no adequate protection to home industries.

One serious objection to the Morrison tariff bill was, that the twenty per cent. horizontal reduction which it proposed on cotton, woolen, and metal manufactures, would have encouraged the importation of a larger volume of foreign-made goods to take the place of home manufactures, and would have resulted in an increase of the revenue from these sources. That so large a reduction would have brought about this result, is evident from the fact that, even with the existing duties, foreign manufacturers were enabled to sell in our market cottons, woolens, and metals to the value of nearly one hundred and forty million dollars, or one-eighth of our whole consumption of those articles. In addition to this, the fact that the advocates of this measure presented it as only the first * step of a programme which contemplated other similar steps in the near future, until our tariff should be placed on the free trade or revenue only principle, made it necessary to meet this assault on the principle of protection at the beginning. The fact that the opponents of protection have adopted the policy of indirect rather than direct attack, of gradual approaches under cover of "revenue reform" rather than of one grand assault, increases the necessity of watchfulness, and renders it doubly important that any modification of the tariff with a view of reducing the revenue and adjusting the details in the light of experience, should be made by a Congress friendly to the protective principle.

The necessity for protective duties on manufactured goods rests mainly on the fact that the wages of workingmen are on the average at least fifty per cent. higher in this country than in European countries. Even estimated by purchasing power, wages are nearly fifty per cent. higher here than abroad, as the

* It is but an advance toward and a promise of complete revenue reform. —*Speech of the Hon. W. R. Morrison in the House of Representatives, in opening the debate on his bill.*

This process of reformation must go on until the power of taxation is used . . . . *only* for the purpose of raising revenue.—*Speech of Speaker Carlisle before the New York Free-trade Club.*

cost of living on a similar scale is less than ten per cent. more in this country than in England. The most careful statistics gathered from official sources have so clearly established this, that it is conceded by candid anti-protectionists who have had an opportunity of personally investigating the facts.* Ordinarily it is impossible to maintain manufacturing industries in this country without a protective duty on imported goods large enough to cover the increased cost of manufacture, mainly because the labor required to build and carry on manufacturing establishments costs fifty per cent. more here than it does in Europe.

Too much stress cannot be laid upon the fact that in most well-established industries in this country, it is the higher wages of our labor which stands in the way of free competition with manufacturers abroad. Raw materials, *i. e.*, materials as they are found in nature before human labor has been applied to them, are as abundant and cheap in this country as in any other. Materials to which labor has been applied to prepare them for more advanced manufactures cost more here than abroad only for the reason that this labor receives more here than in Europe. Manufacturers who want to import their materials free of duty, while they insist on retaining a duty on imported goods of a like character of their own production, overlook the fact that they seek to apply the protective principle to their own industry and deny it to others. This is impossible. The labor employed

* To any one studying the condition of this country, three things are evident: First, that we are the most prosperous people in the world, and, second, that we are paying the highest wages of any people of the world. . . . . I shall not have time to go into details as to the difference in the rate of wages, but I will append to these remarks the tables. . . . . It will be sufficient for me to say that as between Great Britain and the United States the rate of wages is on the average about fifty per cent. higher here than there.—*Speech of Hon. Abram S. Hewitt in the House of Representatives, March* 30, 1882.

Carroll D. Wright, Chief of the Massachusetts Bureau of Labor and Statistics, in his last annual report publishes statistics showing that the average wages of labor in twenty-four employments is 65 per cent. higher in Massachusetts than in England. As to the comparative cost of living, Colonel Wright states that provisions, which comprise 64 per cent. of the cost of support of a workingman's family, are 23 per cent. cheaper in Massachusetts than in England; and that if a workingman were content to live here as he lives in England, it would cost him less than 6 per cent. more to live in Massachusetts than in England.

by one manufacturer in preparing materials for a more advanced manufacture is entitled to a protection fairly proportioned to its amount and skill, so long as both work for the protected home market.

When the manufacturer proposes to make goods for sale in a foreign market in free competition with foreign manufactures, then he should have the privilege of importing his materials, advanced to any stage, free of duty. For eighty-five years the American manufacturer has well-nigh had this privilege, a duty of only ten per cent. having been exacted on imports intended for this purpose, where the materials were wholly of foreign production. The fact that under this privilege so few materials have been imported for the manufacture of goods for export shows that it is our higher paid labor, and not the slightly increased cost of materials, that stands in the way of our successful competition in foreign markets with European manufacturers. But whatever aid can be extended by free materials should promptly be given through such a modification of the law of 1799 as will allow a manufacturer to import free of duty any portion of the materials used in the manufacture of goods for export. Not even free trade could do more to aid our manufacturers in reaching foreign markets, unless it be assumed that free trade would reduce the wages of labor. On the other hand, free trade, of which a tariff for revenue only is simply a forerunner, would surrender our own markets, which are the best in the world, to foreign manufacturers, without giving our own manufacturers any better opportunity to compete in the already overstocked foreign markets than they would obtain by such an amendment of the laws of 1799 as has been suggested.

The charge is persistently made that protective duties benefit only manufacturers, and enormously tax other classes. To the first charge the conclusive reply is, that the capital invested in manufactures pays no greater profit than that invested in other business. To the second charge the equally satisfactory answer is, that the establishment of manufacturing industries in this country has increased the wages of labor and service in every department, has reduced the prices of all manufactured goods, and has added to the prosperity of the country. There is not a State or a community into which manufacturing industries have been largely introduced that has not at once felt the beneficial influence of the new order of things. A policy that

produces these results is not a tax which brings burdens; it is an investment which brings large returns; it is the seed sown in good ground which returns a hundred-fold.

Protective duties work out these results, by securing the introduction of new industries which could not be successfully established in this country if foreign goods were allowed to come in free of duty, or on the payment of a less duty than the increased cost of manufacture here. These new industries make a new demand for labor, and in drawing workingmen from other employments, inevitably increase wages, not simply in the new industries, but also in every other employment. Wages have very largely increased in this country since the introduction of manufacturing industries. According to statistics presented by Mr. Carroll D. Wright, in the Census Report, the wages of labor advanced twenty-eight per cent. during the twenty years between 1860 and 1880.

The beneficial influence of the introduction of manufacturing industries on the wages of laborers outside of these industries, is strikingly shown by statistics recently collected and published by Mr. J. R. Dodge, the statistician of the United States Department of Agriculture. Mr. Dodge divides the States into four groups, according to the extent of the distribution of manufacturing industries. In the first group, in which manufacturing pursuits are well distributed, the wages of farm laborers average $25 per month; in the third group, in which sixty per cent. of the workers are on farms and manfacturing industries are poorly distributed, the wages of farm laborers average $19.50 per month; and in the fourth group, in which seventy-eight per cent. of the workers are on farms and manufacturing industries are almost unknown, the wages of farm laborers average only $13.20 per month.

The beneficial influence on the farmer of that protective policy which has built up manufacturing industries is also equally clearly shown by Mr. Dodge's statistics of the comparative value of farms and farm products in the four groups of States referred to. In the first group, in which manufacturing industries have furnished a home market for the farmer, the average value of farm lands is $47 per acre, and the average value of farm products per man, $467 per annum; in the second group, farm land, $34 per acre, and farm products, $394 per man; in the third group, farm land, $20 per acre, and farm

products, $261 per man; and in the fourth group, the average value of farm land, $9 per acre, and the average value of farm products only $161 per man.

While our protective policy has increased the wages of laborers and the rewards of service in every employment, and largely added to the value of farm products by diversifying the industries of our people, preventing too great a crowding of men to farms and furnishing a home market to the farmer, it has at the same time reduced the prices of all kinds of manufactured goods everywhere, by adding our own production to the production of other countries. Since 1860, under protection, the prices of prints in this country have declined thirty-four per cent., of woolen cloths twenty-five per cent., of crockery thirty-eight per cent., of glass thirty-five per cent., of boots and shoes twenty per cent., and of bar iron twenty-five per cent.

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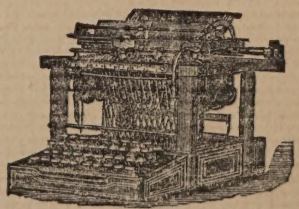

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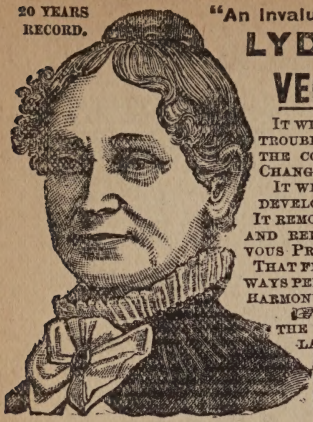

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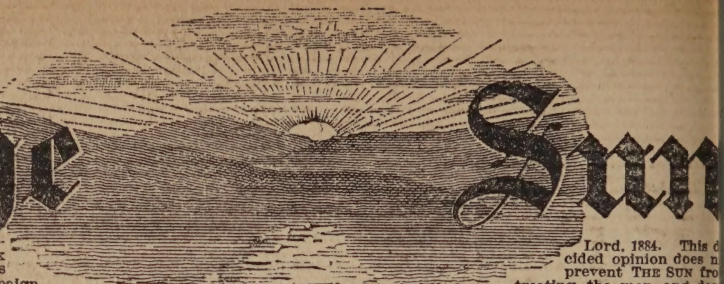

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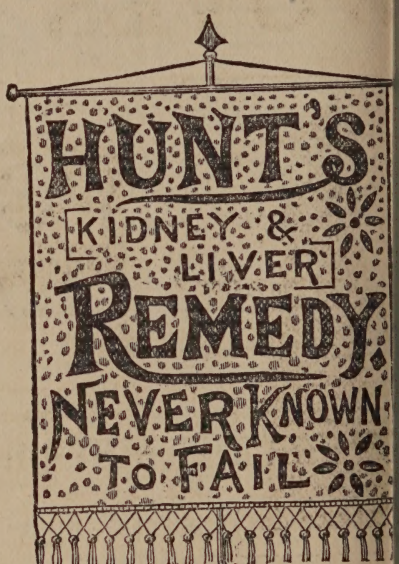

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NOVEMBER, 1884.

ART.		PAGE
I.	WOMAN AS A POLITICAL FACTOR. By Judge ROBERT C. PITMAN.	405
II.	THE AFRICAN PROBLEM. By Prof. E. W. GILLIAM.	417
III.	PROGRESS IN NAVAL ARMAMENT. By HOBART PASHA, Admiral, Imperial Ottoman Navy.	431
IV.	HALF-TIME IN SCHOOLS. By the Rev. E. E. HALE, D. D.	443
V.	FRIENDSHIP IN ANCIENT POETRY. By J. C. SHAIRP, LL.D., Principal of the University of St. Andrews.	453
VI.	HERBERT SPENCER'S LATEST CRITIC. By Prof. E. L. YOUMANS.	472
VII.	OVER-ILLUSTRATION. By CHARLES T. CONGDON.	480
VIII.	RESTRICTION OF THE SUFFRAGE. By WILLIAM L. SCRUGGS.	492

NORTH AMERICAN REVIEW.

No. CCCXXXVI.

NOVEMBER, 1884.

WOMAN AS A POLITICAL FACTOR.

With a purely didactic purpose, an important logical truth has recently been compactly stated: "The ballot is a trust." But a trust is clearly not a natural right; men are not born trustees. To say that all men have a natural right to vote is absurd by definition, for voting is helping to govern others. To say that a man has as good a right to govern others as they have to govern him, advances nothing, for natural rights are not the product of mutual concessions. So far from suffrage being a natural right, it is an artificial arrangement devised by society for its best government. These are very simple axiomatic propositions, but they cut across much of the popular talk, and politicians would call them un-American. Nevertheless, I suppose all careful thinkers would acknowledge them, and they are not without practical moment. Natural rights are not to be conditioned; but trusts are to be regulated, and the conditions of suffrage form one of the gravest of our political problems.

I deal here with only a single question, that of female suffrage. Of course, if men have a natural right to vote, women have also; for it is monstrous to suppose that sex creates a difference in respect to absolute natural rights. This is the short

and easy way that is used by many to establish the doctrine of female suffrage. But it is as unsatisfactory as it is simple, and I fear it repels many from a fair consideration of its claims. Profoundly believing in the wisdom of opening the ballot-box to woman, I am anxious to base such a measure upon considerations that will command the confidence of reflecting persons. Let me premise that, while I reject the doctrine that voting is a natural right in any strict or philosophical sense, there is yet a loose sense in which the phrase may be used to express an important thought. Thus, we say of various civic honors and duties, and even of legislative grants, that one man has as good a right to them as another; or, more positively, that it is not right to deprive any class of them; when we know that we are not speaking strictly of natural rights, but of social privileges. Such are often spoken of under the name of rights; as, for example, the right to serve in the militia, or on juries, or of incorporation for business purposes. We thus express our sense of injustice in the establishment of any arbitrary inequalities before the law. This perhaps is the essence of the popular demand for "manhood suffrage." But, thus explained, popular suffrage is as clearly subject to conditions as jury service, though not of the same nature.

It must also be allowed that, other things being equal, the widest extension of suffrage is desirable; and this for three reasons, which are applicable to its extension to women. First, because it is conducive to patriotism; second, to education; and, third, to protection. Let us expand these statements. We all understand that whenever an alien becomes actually qualified for the duties of citizenship, the bestowment of the privilege of participation in the franchise tends to awaken a sense of interest in, and attachment to, his adopted country; and we know that political education is promoted by the assumption of political responsibilities. We also know that every class of citizens is surer of equal protection before the laws if intrusted with political power. Giving all the weight to these considerations that they deserve, it still remains that the crucial test for voting is the safety of the state. If, as we believe, "every voter is a trustee for good government," then, in our anxiety to enlarge the number of trustees, we must not overlook the primary question of their fitness. In accordance with the suggestion heretofore made, that in itself considered the widest extension of

suffrage is wisest, it would seem that the *onus probandi* lies with those proposing to exclude one-half of the people from all political power. But we are quite content to put it the other way, and to undertake to show affirmatively that society suffers from the exclusion of a class eminently fitted to discharge well the trust of the ballot.

The qualifications for such a duty are twofold, intellectual and moral — capacity to act, and good intention. Without the one, the voter may be a public enemy; without the other, an ignorant dupe. The opponents of woman suffrage do not allege ignorance as the disqualification of the sex, but they do allege what may be called a temperamental incapacity to act wisely in the field of practical politics. This objection, even when not distinctly formulated, is still at the bottom of much of the opposition to female suffrage, and it therefore demands careful consideration.

In the first place, we remark that there is a constant and natural tendency to exaggerate the differential element. That by which we distinguish any person or thing, after a time, comes to present itself to us as the essential character. Careful observers are constantly finding it necessary to correct this disproportionate estimate of the common type and the variation. We have our picturesque idea of the Englishman, the Irishman, and the Frenchman; but when we come into close contact with individuals, we find that the common characteristics of human nature largely preponderate over their racial peculiarities. And so we find in the religious world great central unities underlying external diversities. Catholics, Calvinists, Unitarians, are not mere personifications of creeds. The differentiation of humanity in the direction of sex follows the same law; it is but a differentiation. Not to dwell, as woman suffragists are apt to do, on the Zenobias, the Joan of Arcs, or the Elizabeths of history, because it may well be said that these were exceptional, and indeed abnormal, women, let us confine our attention to the mothers and daughters of every-day life, the beings

> "Not too bright or good
> For human nature's daily food."

Are such mere dreamers, emotional and unpractical persons, or do they perform well a great part of the world's common work? In their sphere do they show less than man of the qualities of

patient persistence, of conscientious fidelity to details, of practical wisdom, of careful frugality, of prudent management? We are content to take the judgment of husbands and fathers. Even where the ideal element shines out, and the woman is

> "A spirit still and bright,
> With something of an angel light,"

she may answer as truly to the rest of the poet's portrait:

> "The reason firm, the temperate will,
> Endurance, foresight, strength, and skill;
> A perfect woman, nobly planned,
> To warn, to comfort, and command."

Whatever foolish notions the novelists may have instilled into our minds, woman is not all emotion. The American woman has her fair share of good sense and of administrative ability, and there is reason to believe that she might bring into the region of governmental affairs positive contributions of thrift, order, integrity, and economy.

We must not lose sight of the ultimate tests of political capacity. In Massachusetts some educational qualifications are required; and, when we consider what their absence in such a state of society would imply, we believe that they are wise. But we must not forget the profound truth in that saying of Mr. Hare, that "no science can reach the depths of the knowledge painfully won in the daily life and the experience of man and woman;" or, as impressively expanded by Mr. Mulford ("The Nation," p. 231): "The life of the workman, the fulfillment of human relationships in the family and the community, the endeavor of men in the realities of life, is a deeper education; and in work rather than in a certain literary or scientific acquisition is the evidence of the capacity for political power."

But I do not rest here. While doing justice to the practical side of woman, I do not deny that she is differentiated from man in the relation of the intellect to the emotions. In abstract reasoning, man is better; in emotion, woman is quicker. If man has "the love of wisdom," woman has "the wisdom of love." In music we need the blending of the male and female voice; and music only typifies the universal duality in the world of nature and spirit. In every sense it is true that it is not good for man to be alone. In some of the great souls of the world has been

found this union of both the masculine and feminine natures; but these "double-natured poets" are the exceptions. To produce the effect in the mass, we must have men and women. The world has been learning this lesson. Modern life has availed itself more largely of the companionship of woman, and has been the better and purer for it. In literature, in addition to all that she has produced, woman has been the confessed aid and inspiration of some of the noblest souls. She has infused into theology the spirit of religion, and has softened and rounded its old creeds. Her influence has been alike potential in shaping and administering systems of education. Companionship in thought has led to companionship in action, and we have broken down many walls of partition, we have removed many bars. Hand in hand women now walk with man in many once forbidden paths.

Nor is woman now entirely excluded from all share in governmental administration. Some of the States of our Union have found occasion for her services upon school boards and in the management of charitable, reformatory, and penal institutions. This experiment in Massachusetts was initiated cautiously. When the writer was chairman of the joint committee on charitable institutions in the legislature of 1868, he introduced a proposition to have an advisory board of women associated with the trustees of the Lancaster Reform School for Girls. It was strenuously opposed before the committee by one of the trustees, a man distinguished for his active philanthropy; but it was adopted, and gradually led the way to such changes as gave women not merely an advisory but an authoritative position on this and similar boards. Without reference to their opinions on the question of suffrage, I have no doubt that those having the best means of judgment would concur in the value of this added force of woman's tact and temperament. Is there any reason to suppose that these special traits, which are of use in administration, would not be efficient and beneficent factors in political power?

But let us look more distinctly at woman's emotional nature, and consider whether its presence at the polls will be a loss or a gain. That emotional nature will find play mainly in questions involving the taste and the conscience. It will tend to more care as to character in selecting candidates, to refinement in administration, and to more ideal standards in legislation. And

are not these confessed wants in our statesmanship? It is but a crude notion of superficial thinkers and observers that refinement is incompatible with strength. And as to ideal conceptions of duty, we find that they are absolutely essential to invigorate the actual life and to correct the distortions and aberrations of our working conduct. The man or the statesman that prides himself upon being simply "a man of affairs," finds in the end that the higher laws which he ignores are as rigorous and relentless as the law of gravitation. Like Emerson's Brahma, the voice of Duty is continually repeating to heedless ears,

"He reckons ill who leaves me out."

The world's greatest reforms have started from the intuitions of the heart, and have found their early champions in those whom the world looked on as dreamers. The pure heart sees many things that the sharp intellect fails to discern.

I repeat again, that we must not make too much of the differentiation of sex; and the history of reform shows how nobly endowed have been the manly, heroic souls that have led the world onward with the "vision and the faculty divine." Nevertheless, it remains true that the average endowment of ideality is greater in woman; and that in the mass of men the ideal conceptions of youth "fade into the light of common day," and are rebuked and destroyed by the worldly maxims of business life.

What factors shall enter into the determination of our national and State policies is an intensely practical question for the people of the United States; and the great importance to be attached to the introduction of the feminine element lies in the consideration that the great problems of statesmanship for the present and the future are moral ones — questions in the right solution of which the conscience and the moral sense are to have the determining voice as to principles, while the practical judgment has large scope in the adaptation of measures. We need to conjoin the pure intuitions of woman and the wise strength of man. Such questions as these are at the front: Whether we shall seek to increase our territory, or to develop our national character; whether we shall pursue toward other American nations a policy of blustering menace and arrogant interference, or shall gain their good-will by scrupulous justice and a high-toned international courtesy; what shall be the treatment of the weaker races in our own land; how we shall secure the rights and the elevation of the laboring classes; how strengthen the

family tie, and guard the home as the basis of the state; how secure ethical and religious (and yet unsectarian) training in the public schools; and how deal effectively with the overshadowing topic of intemperance. He must be indeed a rash optimist who does not feel that, as to some, at least, of these problems, the scales will long gravitate in the wrong direction without the reënforcing aid of woman's vote.

Take the single question of the suppression of the dram-shop. Observe, I do not say the suppression of the liquor traffic. I select that form of it which all good citizens reprobate. I do not speak here as a prohibitionist. The dram-shop stands the confessed waster of wealth, the disorganizer of labor, the degrader of the laborer, the destroyer of home, the disturber of social order, the ally of every vice, the fomenter of every crime, the paralyzer of every uplifting agency of education or religion,—in fine, the foe of Christian civilization and the enemy of the human race. No one is shameless enough to advocate it, and yet it stands in defiant strength. What is the secret of its strength? The whole liquor interest feels and resents an attack upon any of its outposts. With a sagacity born of selfishness, it sees that the whole traffic in its varied ramifications is a unity; and, as the "Boston Advertiser" well said years ago, "The liquor interest, now that slavery is gone, is the strongest single pecuniary interest in the country." Strong not merely in the enormous capital invested in it, but strong also in that cohesion which binds together those engaged in a traffic obnoxious to the general public. To the power of wealth, nowhere greater than in the United States, we must add the force of an army of employés, and a vastly larger army of patrons enslaved by appetite; and such are the most obedient of vassals. Then we must count as allies many who would be ashamed to be known as such—the owners of real estate that derive large rentals from the saloons. The traffic has thus secured a business recognition. Its chiefs are known on 'Change; it is a customer; it buys as well as sells. It has the sympathy of the commercial classes; not of all, to be sure, but of those who secretly believe that the chief end of man is "to buy and sell and get gain." As, in the old days of the slavery contest, the names of merchant princes, the names of leading business firms, appear in defense of "vested interests," although those interests are in deadly hostility to human welfare. And now, thus supported, the dram-shop appears as a political power. Its employés and devotees have ample time to

attend the caucus, and are never absent from the polls. Except in our largest cities, it rarely rises to the audacity of bringing bar-tenders to the front as candidates for responsible situations; its interest lies in presenting less offensive champions; but, nevertheless, it knows its men and makes no mistakes. The law-abiding citizen is handicapped by his attachment to his party, and by his supposed obligation to support its regular nominees; while the liquor interest comes into politics as a free lance, knowing no party but the party that bids most for its support. Hence the politician regards the liquor vote with respect, the temperance vote with contempt. The "trade" is ready to sacrifice men or parties that stand in its way; its opponents are, as one legislator naïvely wrote, "willing to do as much for the cause of temperance as the good of the Republican party will allow." The result is inevitable; the trade have it their own way. Sometimes they insist on the enactment of shameless laws; sometimes they are content with the election of shameless officials that nullify the enforcement of decent statutes. The general result, either way, is the impunity of the grog-shop. Ten years ago, the Republican party of Massachusetts, in convention assembled, resolved that the dram-shop should be suppressed. But, with its immense majority, it failed in the task that its shrewd politicians never intended to undertake; and to-day the dram-shop is licensed instead of suppressed.

In Massachusetts the women in the voting ages outnumber the men by over fifty thousand. For reasons not necessary now to be considered, it is not probable that the actual voters would ever exceed those of the male sex; but, making all allowances, the female vote would determine any question upon the side where it was largely predominant. Can any one doubt on which side, in the issue against the dram-shop, that vote would be thrown? Here would be a fresh body of voters, comparatively free from appetite for liquor, untrammeled by old party prejudices and ties, with an instinctive feeling that the saloon and the home are natural enemies, and with a quick sympathy with suffering, putting their whole heart into the contest, and supplying, in addition to their own votes, the moral enthusiasm that in itself presages victory. The result would be so sure, that the politician whose highest wisdom is always to be on the winning side, would be in the advance, shouting for the extermination of the dram-shop. And it would go.

I do not suppose that the influence of woman would stop here; everywhere it would be felt for good; and I introduce the temperance question simply as an emphatic and practical illustration. Hers would be the soprano voice in politics, the voice of aspiration, the voice of inspiration. It was no dreamer, no mere sentimentalist, but the profoundest poet of modern Europe, who gave us as the closing prophecy of his Faust, "The woman-soul leadeth us upward and on!"

By this course of thought, I seem to myself to have established suffrage for woman upon a sure and consistent basis, and to have demonstrated that it is not only a just measure, but one conservative of the highest interests of the state. But I know that we shall not carry this reform merely by a logical maintenance of our thesis; we must first answer many objections in the popular mind. One of these, for which I should have but little respect, except for the character of many who urge it, is that as all government must ultimately rest on physical force, it should only be shared by those who maintain it; or, in briefer words, that as women cannot fight, they should not vote. But was military service ever made the condition of suffrage? Did any sane man ever argue for the exclusion from the ballot-box of Quakers, persons physically infirm, or those above the military age? Voting is not a reward, but a duty. Besides, if we assume that fighting is to continue to be a normal and usual function of government, I suppose that women could discharge even that in the same way that the two leading candidates for the presidency found most convenient in the last war. In our modern civilization, even in time of war, mere brute force will always be the servitor of character, intelligence, and wealth. Those who possess these, without regard to sex, will be found most effective supporters of the government in time of peace or war. I may add that, while the history of the late Rebellion furnishes ample proof of the extent to which woman may hearten and strengthen the national forces in a contest that enlists her accordant sympathies or her moral convictions, I believe that the determining vote of woman would be of immense service in restraining the country from wars of selfish ambition or mere aggrandizement.

But at the heart of much of the silent opposition to female suffrage lies a feeling that I am bound thoroughly to respect, and that makes me patient under the slow progress of this

movement. It is the feeling that the distinctive delicacy and purity of her sex would be injuriously affected by her admission into the arena of politics. Society has an immense interest in the preservation of this, and I do not wonder that it shrinks from any unsexing of woman. Tennyson utters profound philosophy when he says:

> "Woman is not undeveloped man,
> But diverse; could we make her as the man,
> Sweet love were slain."

With that would come the destruction of the home, and with the home the state rises and falls. I thoroughly believe in feminine women. But let us examine this matter closely, and see whether this fear of the effect of suffrage is not founded upon prejudice rather than upon reason. Let us, in the first place, clear the question of complications. The "woman question," as it may be called, is a broad one, with many phases, and is one of the important problems of our modern life. What shall be the education of women, and how shall it be obtained? Shall professions and occupations be indiscriminately opened to them? Shall they be urged to enter them? Shall there be perfect equality in the household, or shall the husband have an official headship? Shall the legal status of woman be identical with that of man, and all statutes either in aid or restraint of her be swept away? These are grave questions, but their decision is not involved in woman's admission to the ballot.

And again, I regret to say that the prejudice in this direction against the suffrage movement has been increased by the pugilistic style of some of its female advocates. Perhaps this was natural and almost inevitable. Reformers are not apt to be soft of speech and gentle in manners; and many of the women who lead this movement are somewhat abnormal representatives of their sex, and are smarting under a sense of injustice. But the mass of American women are not clamorous for their rights, but anxious to discharge their duties. Such women find their true voice in the tender eloquence and deep religious earnestness of such advocates as Frances E. Willard, pleading for the ballot as a means of home protection.

Let us now with candor examine all that the exercise of suffrage by woman involves. It presupposes (or ought to, although in the case of male suffrage it often fails to secure it) a sufficient acquaintance with the issues at stake for the formation

of an intelligent purpose, and it requires the slight physical act of depositing at the polls a ballot that represents this purpose. And that is all there is of it. It seems ludicrous to consider gravely the objection that danger to woman's refinement of character is involved in the simple act of attendance at the polls. And yet how much rhetoric has been expended in painting the debasement of such a scene! It was an unnatural libel to assert that American manhood would anywhere insult womanhood. But, happily, we need not now rely upon *à priori* assumptions, for experience has demonstrated that women, exercising the limited right of voting for school committee, or in some of the Territories exercising unrestricted suffrage, or in many of the States attending the polls to cheer on and augment the anti-liquor vote, have been treated with chivalrous courtesy. And the recent device of dividing the voting in the wards of cities and in large towns into precincts, together with the presence of additional scrutinizing officers, has markedly tended to additional good order and removed nearly all discomfort. The habitual presence of women in large numbers at the voting places would undoubtedly still further refine the manners and the surroundings there. In any event, the public exposure to which women could be subject in exercising the right of suffrage would be nothing compared with that which one class cheerfully undergo at the behest of fashion, and another under the pressure of necessity.

If, then, there need be nothing offensive in the act of voting, is there anything unwomanly in the preparation for it? So far as relates to moral and social questions, which form an increasingly large part of governmental problems, they are such as, in their general aspects, naturally interest the wife, the mother, or the sister. And many questions not apparently falling into this class have really vital humanitarian relations that ought to have determining force in their solution. No discussion, for instance, of the tariff question can be complete that treats it merely as one of political economy, although the accumulation and right distribution of national wealth is undoubtedly a potent factor in the elevation of modern society. As President Seeley has well said: "Economic questions are wisely determined only by ethical considerations."

But will it be said that the machinery of politics is debasing? Well, then, the answer is ready: Improve it, or destroy it. If the caucus is corrupt, let the voter ignore it. If it is not a fit

place for women to attend, its decrees need have no binding force on them, nor indeed on men. American virtue has already, in conspicuous instances, risen to the height of defying them. Nor is attendance at a caucus one of the necessary qualifications for voting. There are large numbers of quiet men whom we never expect to see there, but whom we are always glad to see at the polls. Let those whose interest or taste leads them to manage the machinery of politics do so; but let them know that they must do so in the interest of good morals and good principles, or the day of reckoning will be for them the day of crushing defeat.

We hear sometimes of what is called "the Quaker vote," by which, I suppose, is meant the votes of quiet citizens who have little taste for ordinary politics, and who generally do not care to be found at the polls, but who come out when their aid is needed for truth or righteousness. In this reserve vote is often the hope of the country. And so the state would be the safer if, in every moral exigency, we could depend on the vote of our independent, conscientious, and home-loving country-women.

ROBERT C. PITMAN.

THE AFRICAN PROBLEM.

AN article of mine, published in 1883, entitled "The African in the United States," has been the object of so much adverse criticism, that I have felt called upon to reëxamine the argument carefully. The result, strengthening former conclusions, is given in the following pages. The argument is as follows: If the negro, while slowly advancing in education and wealth, is rapidly gaining in population upon the whites; and if he is, and must continue to be, an alien and distinct race, and, struggling to rise, must be pressed back by the ruling whites toward the labor-line; then disastrous social disorders are threatened, and colonization — enforced, if necessary — is the remedy.

Respecting the progress of races two views prevail. According to one, enlightened nations were once savages, who, gradually, and by a combination of lifting influences, partly internal and partly external, have reached their present status. According to the other, savage tribes are the swamps and bogs along life's river, whose flow has been noble from the start, illustrated, at different points in its course, by the Mosaic writings, Greek art and poetry, Roman law, and modern civilization. We give the negro the benefit of the former view, and hold that, as Asia was once in the ascendant, as Europe is now, so the day for Africa is to dawn. The negro, intellectually, is fairly advancing, at least in the rudiments. His educational percentage for the past decade shows better than that of the whites. In the seven States where the negroes are massed, and where causes abnormally affecting population, white and black, have been least operative (the Carolinas, Georgia, Alabama, Mississippi, Louisiana, and Arkansas), the decrease of illiteracy, as shown by being unable to write, was two per cent. for the whites, and seven per cent. for the blacks. The high figure for the latter is largely due to temporary stimulants and will not be maintained. The causes of the difference are: First, the novelty of

the educational privilege, which it is altogether unlikely the blacks will continue to make use of with the same ardor; second, that in 1870 illiteracy and school material among the blacks (eighty-three per cent.) were far greater than among the whites (twenty-seven per cent.); third, that the element among the blacks — the mulatto — that has been receiving education most freely, is declining, both in numbers and in character.

That the most intelligent of the colored population are the distinct mulattoes is everywhere noticeable. I mark it at their higher seats of learning. The representative men are mulattoes. In Washington the prominent colored office-holders are almost exclusively of this class. I can recall but one exception, the Congressman from South Carolina; and generally he would be regarded as a mulatto, with strong recession toward the pure African type. And in the minor offices the genuine black hue is the rare exception. Educational superiority for the mulatto is indisputable; and his large percentage of Caucasian blood would make it presumable. This element is diminishing; that is, it is losing its white blood and receding toward the negro type. For the decade ending with 1800, the excessive increase (eighty-two per cent.) of the free blacks, almost exclusively mulattoes, is readily accounted for. Compared with the whites and the slaves they were then a very small body, and grew with abnormal rapidity from the parentage of sensual white men and negresses. Subsequently, the rate of increase steadily declined, until for the several decades prior to emancipation it was about half that of the slaves. The illicit commingling of white and black blood is now practically over, and the mulatto gain from this source is cut off. Doubtless, there has been gain under the new régime, from the more frequent marital relations between mulattoes and blacks, but not enough to compensate for this loss; and it is clear that the mulatto is becoming absorbed in the pure African type. The result is said to be a mongrel race, inferior to the native negro. Whether mental capacity is dependent upon the size of the brain, or its quality, is a question. Certain scientists, assuming size as the criterion, and testing the brains of a large number of half-breeds in various stages of amalgamation, have reached the conclusion that three-fourths white blood gives mental capacity little below that of the Caucasian; half white, a capacity above that of the pure negro; while a quarter or an eighth white marks a breed decidedly

below the negro. Since the stream of original white blood has been, through emancipation, almost entirely cut off, and will remain so, mulattoes and blacks are left to mingle in marital relation, with a deteriorating tendency. The better class of mulattoes, marrying generally within their own circles, will be able to maintain, for some period, the preponderance of white blood. But from the white increment, divided and subdivided, must be evolved in the end an inferior race.

In the accumulation of property it would be instructive to know what progress the blacks are making, absolutely and relatively. To get statistics is almost impossible, the census not giving the wealth, individually or collectively, according to races. It is certain that progress is being made, but it is small compared with the remarkable progress that the South, as a whole, exhibits. The political supremacy of the whites, and the general material prosperity of those of the middle class who at the close of the war became possessed of the dismembered estates of the bankrupt planters, have been instrumental in rousing throughout the South a vigorous life, and giving to her industrial interests a lift that, in the retrospect, is amazing. In the general advancement, the colored man has undoubtedly gone forward; it is matter of regret that the census does not show to what degree. It will not be doubted that this progress has been very largely made by the better class of mulattoes. Observation and inquiry all tend to show this, as they also show that the genuine blacks, still improvident, have not done much, generally, to improve their worldly condition. With a large percentage now, as just after emancipation, it is a hand-to-mouth existence.

I regret being unable to speak for the colored man a better word in the way of moral advancement. As a slave he was an enthusiast for religion. It was a symbol of freedom, and held out to him the hope of sitting above kings, in a higher sphere. Unfortunately, it took on, too generally, a sensuous form, and negroes at the South sought their excited religious meetings for the ecstasies and bodily pleasure they afforded. Emancipation, education, increased worldly comfort, have enlarged both their sphere of endeavor and the degree and variety of enjoyment, and I fear religion does not possess the same attraction and influence as of yore. Never, until within the past year or two, have I heard negroes proclaim on the streets ultra and defiant infidelity. Senator Morgan, of Alabama, who, with every opportunity and advan-

tage, has examined the question closely, thinks it doubtful whether negro morals have at all improved since emancipation. It cannot be denied that an immense preponderance of the brutal crimes reported from the South are charged against negroes, and penitentiary reports sustain the charge. Though I do not believe that mere intellectual development is a panacea for evil, yet I am aware that ignorance and crime are associated, and that negro illiteracy being so far in excess, an excess of crime is to be expected in his direction. But I fear that the decrease of illiteracy bears no proper ratio to that of crime. Such is the verdict of criminal records, so far as I have been able to examine them. In South Carolina, for the past few years, the exhibit is an annual decrease of something under one per cent. for colored illiteracy, while the annual increase of crime, as shown by penitentiary reports, is eight per cent., the population swelling at the rate of three and a half per cent. The indications are that such is the general status throughout the South.

In discussing the African advancement in population, the substantial accuracy of the census of 1870 is assumed. I am aware that in certain portions of South Carolina it has been shown to be materially at fault; but there appears to be no ground for suspecting its general correctness. The superior credit attaching to the census of 1880 is due to its having been made under the direction of supervisors appointed to the work exclusively and for their special fitness; whereas that of 1870 was superintended by the district marshals, who divided their time between it and their regular duties. For the former, therefore, there is presumptively greater accuracy; but the latter is not considered so far inaccurate as to be incapable of giving approximately true results. The inaccuracies, whatever they may be, bear equally upon the two races, whose relative positions would not be affected, even were the errors much more material.

A thoughtful writer on this subject has recently appeared in Congressman Tucker, of Virginia, and as his conclusions are adverse to my own, I beg leave to point out the errors. He says: "While the whites were eighty and seven-tenths per cent. of the population in 1790, they were eighty-one and one-half per cent. in 1860. Including immigrants, the white population gained and the colored lost six per cent. in the whole period from 1790 to 1880, while in the last twenty years the whites have gained one per cent." The errors are in the periods

compared, and in not allowing fully for the foreign element. From 1790 to 1860 a gradual decline appears in the African rate of increase; and, comparing the two entire populations, and allowing for the foreign element, there was probably a gain for the whites of about two per cent. From 1860 to 1880, the same allowance being made, the two races advanced with but a shade of difference. My figures make the whites, in 1860, eighty-two and one-sixth per cent. of population; in 1880, eighty-two and one-fifth per cent. But manifestly the true comparison is between 1870 and 1880. Why Mr. Tucker should have chosen 1860 and 1880 as the testing dates, I am unable to see. The period from 1860 to 1870 was radically transitional for the negro, and peculiarly adverse to his increase. The year 1870 found him first fairly adjusted to the new conditions arising from emancipation, and evidently his relative rate of increase for the ensuing decade is the crucial one.

To reach this, the foreign element should be eliminated. The immense immigration that for years has been swelling the white ranks must, before a great while, begin to diminish, and ultimately cease. The rapid filling up of our own lands, and the inviting opportunities that are open to European settlers in other portions of the world are the assurances. The negro has had no accessions from abroad. The time is not distant when he will compete with the whites unaffected by immigration. The point therefore is, to determine his rate of increase compared with that of the native whites. The census reports distinguish between the foreign-born and those of foreign parentage, the latter being the true foreign element.

1870.	Foreign-born	5,567,229
1870.	Foreign parentage (one or both parents foreign)	10,892,015
1870.	Foreign parentage (both parents foreign)	9,734,845
1880.	Foreign-born	6,679,943
1880.	Foreign parentage (one or both parents foreign)	15,021,744
1880.	Foreign parentage (both parents foreign)	13,011,646

Rating the foreign element as those both of whose parents were foreigners (and the figures should really be higher), we find that in 1870 the native whites were eighty-three per cent. of the population; in 1880, eighty-two per cent. Contrasting populations in the seven Southern States already mentioned, we find that in 1870 the whites were fifty-four per cent. of the population, and

in 1880, fifty-two per cent.,— a black gain, in excess of the white, of two per cent. of the whole population. Because of the difficulty of obtaining exact figures, no allowance is made here for immigration, the larger part of which came in after the completion of the census of 1870, and the actual black gain is something more. I see no cause for materially modifying my former conclusions, that the negro rate of increase for the past decade is thirty-five per cent. (more or less), or three and a half per cent. per annum, while that for the native whites is twenty per cent.; and there appears to be no reason for doubting that these relative rates will be maintained. The negro rate is not at all incredible; it has been surpassed in former decades; from 1800 to 1810 it was thirty-seven per cent.

It should be noted that Southern whites are far more prolific than Northern. In the States above named the rate is twenty-nine per cent. for the past decade. An allowance must be made for immigration, which, though small (one to ten) compared with the great stream entering the North, has an appreciable effect upon population. Much the larger portion went South in the latter half of the last decade, and diminishes the native rate of increase (probably) to twenty-five per cent. Connecticut, without her foreign element, shows a rate of less than twelve per cent., and careful statistics put the Northern rate at fifteen per cent., and the Southern at twenty-five per cent. The difference is doubtless due to the superior wealth and culture of the former section.

The high rate for the negro, as shown by census returns, is sustained by further considerations. For the laboring and uneducated class a superior fertility is presumable. A laboring woman is strong to bear safely robust children; but with the delicacy generally attendant upon wealth, a reverse tendency prevails. In the contracted circle of enjoyments open to the poor and ignorant, sexual pleasures become prominent. In the higher sphere and wider range of the cultivated and refined, such pleasures decline. High living generates a fullness of habit unfavorable to conception. From the desire of the possessor to retain his wealth, competence creates a tendency against marriage and toward continence in marriage, and checks population. Poverty and frugal fare produce opposite effects. The result of all these causes is, to make Northern whites less prolific than Southern, and Southern whites less prolific than the negro.

To this is to be added, that the negro finds at the South a climate as favorable to himself as it is, in its most fertile portions, unfavorable to whites; and that his history bears witness to a race with phenomenal breeding qualities. Personal inquiries in a Maryland village (not the most congenial climate for the negro) showed, in one instance, thirty-five living children in four negro families; in another instance, twenty-one children in three families. These families were not selected, but taken at random, with no anticipation of the result, apart from the swarms of children generally observed about negro homes. And I have seen a statement that in three colored families in Georgia thirty children were recently counted.

To sum up: In the acquisition of wealth and education, the negro, on the whole, gives promise of moderate advancement. In morals, he appears to be not far from stationary. In respect to population, he shows a marked increase, his rate being double that of the Northern whites, and upward of one-third greater than that of the Southern. It is matter for most serious regret that the bill before the late session of Congress, "to provide for the creation of a commission to inquire into and report upon the intellectual, material, and industrial progress of the colored race in the United States, since 1865," failed for lack of time to give it consideration. A measure bearing more directly and critically upon the interests of the whole country, could not have been devised. The data now at command, in some directions full enough, warrant the substantial accuracy of these conclusions. The statement in a former article, that eighty years hence the Southern blacks would nearly double the Southern whites (96,000,000 for the former, 60,000,000 for the latter), was meant to mark a tendency. The present rates of increase for the two races, which, unchecked, would give such figures, are liable to be, and undoubtedly will be, cut down by a variety of causes. A general one is, that, as population grows in density, its percentage of gain declines. But it is morally certain that by that date, and perhaps sooner, the negroes throughout the South will have a great numerical superiority, with a disproportionate gain in wealth and education, and a gain lower still in the domain of morals.

When I say that the negroes are, and will continue to be, an alien people, I mean that they will socially stand apart, and develop under the influence of environments peculiar to the

race; that they will not be merged in the general body, tending toward a homogeneous whole. The thorough social intermingling of the two races on terms of unconsciously-recognized equality, the freedom of marriage across the color line, and the general fusion of bloods, is the contradictory and impossible idea. Emancipation, citizenship, the ballot, full political rights, have always been possibilities for the blacks; but social fusion, never. If it be said that the whites have been the persistent miscegenationists, and that the million of *ante bellum* half-breeds with white fatherhood is the proof, the answer is, that in the gross passions of white men running wanton among slaves, can be traced no logical tendency toward social equality. It has been asserted that the negroes themselves are not over-zealous for such equality, and look with disfavor upon unions across the line. If this be true, it strengthens my position; but, probably, the grapes are sour. A recognized, genuine equality is the vain goal of African ambition,—vain, because white repugnance is invincible. A race distinct in color and feature, yesterday in a condition of slavery, now free and advancing, yet immensely behind, and with all the memories of their race and of their former estate still fresh against them, cannot hope for union with the children or children's children of their masters. Those on the ground feel it stronger than words can express it. Socially the two races are getting farther apart; and the State laws that have been enacted, making mixed marriages penal, are the expression of a profound sentiment that the best interests of each race forbid them. The social status at Washington City is illustrative. No point offers such a showing for the colored man. It is the center of his intelligence. In the District of Columbia, for 1880, his illiteracy (as shown by being unable to write) was thirty-two per cent., the race average being sixty-three per cent. In Washington are to be found the foremost and representative colored men—Frederick Douglass, a powerful orator, with a fame co-extensive with the country; ex-Senator Bruce, now Register of the Treasury, a cultivated and courteous gentleman; and the colored congressmen. There, too, has been dominant, for the past quarter of a century, the political party with which the blacks affiliate, and which assumes to be the special patron of the race. Yet I find, after several months' sojourn in Washington, the social lines as strictly drawn and fusion as thoroughly scouted there as anywhere in the South.

If this repugnance were founded on a mere prejudice, time might remove it, but not before the development of the apprehended evils. Against less weighty obstacles the coalescence of Saxon and Norman required a century. Before the end of such a period, negro fertility and race integrity will have wrought their results. But fusion is forbidden by natural laws, and white repugnance has a scientific and permanent basis. The human family is marked off by color into three grand divisions —white, yellow, and black. It is altogether probable that fusion between varieties of the same color is beneficial, but that fusion across the color line is lowering. The blending of different white bloods makes, in every way, a stronger race; but every instance of blending between white and black has proven adverse, creating, in the end, a half-breed race below the pure African ancestry.

If these premises are true, the final result must be race antagonism, growing in intensity, and menacing malignant evils. One race must be above, the other below, with a struggle for position; equality is impossible. The blacks, though equal before the law, are now, in every way, save a superb physique, the inferior race, and are practically so treated by the whites. The women are at the wash-tubs, the men in the fields, or filling menial stations. Through a race instinct the whites hold them in this lower sphere, and purpose keeping them there. The blacks reasonably submit; partly because the submissiveness of slavery lingers, partly because they recognize the inequality of any contest. But while the race, as a whole, is slowly advancing, a considerable wing has made a pronounced advance, and reached a position in respect to intelligence and wealth where social ostracism and general race disabilities begin seriously to challenge remonstrance; and the twenty years from emancipation will scarcely be doubled before the remonstrance will come strong and threatening, however unavailing, from the entire race. The two races are obeying irresistible propulsions, which raise the danger signal, because they are irreconcilable. The blacks are the victims of an inexorable caste; to stand in the social order beyond a certain level, will not be allowed. Every higher step of progress, every deepening of aspiration, will carry with it increased humiliation. In all quarters the blacks will be checked by the aroused antagonism and competition of the better-trained race. The whites will refuse to negroes business association, as

they now refuse the marriage-tie, the parlor, and the school-house. Should black business competition become obtrusive, white interests would combine to defeat it. In politics one observes identical tendencies; the negro is the underling. The political organization with which the blacks now naturally affiliate is restrained, by fear of Caucasian sentiment, from giving this element the prominence it numerically deserves. In several States nine-tenths of the voters are blacks. The policy, necessarily, is to humor them with such temporary and subordinate positions as may serve to keep them in line. Were the negro allowed the permanent and commanding station commensurate with his voting strength, the party could not stand before the American people.

This inability to rise unobstructedly contravenes a great underlying social law, whereby, in a free State, the lower, laboring class tends upward, and the higher class downward, until, at the end of the cycle, positions are reversed. At no distant day the negro race in the South will have a preponderance of population counted by millions; and the repression of their advancing tendencies, growing more and more intense, and struggling for recognition, portends social convulsions. Let society be so ordered as to give merit the freest play, finding its reward without hindrance, and the poorest may not murmur, if he cannot leave the dirt and din and toil and heat and feverish air of daily life, to rest and recover at sea-side or on mountain-top. He may cheerfully toil on and hoard, in the dim yet inspiring hope that his children, at least, with better start, may win higher levels and go with the best. Deny such aspirations and you make him a revolutionist.

Another result will be the political consolidation of the blacks, for the blacks. Every circumstance of their situation tends to develop a powerful *esprit de corps;* and the day is near, unless timely remedies interpose, when an African party, pure and simple, the outcome of African exclusion and repression, will spring up throughout the South and dominate it. From the Carolinas to Louisiana the two populations are now not far from a balance; and as they are massed in opposite parties, the great odds for the whites in intelligence, wealth, and training, have made them, in political contests, signally successful, without necessary resort to illegal means. But within a generation or two mere numbers

must triumph over every counter consideration, and make the negro politically supreme. There is no room for doubt that this power will be used to Africanize the South. To suppose the contrary would be to suppose a revolution in human nature. A distinct race, for generations held off and underneath, rising to political power, will wield it through and for the race. The results would be disastrous. The present prosperity of the Southern States is due to the white man's rule, efficient local control being secured to those counties that are overwhelmingly African through the legislative appointment of leading county officers. That affairs are so is better both for the South and for the whole country. To assert the contrary is the verbiage of politicians, a monstrous lie, that no American believes. From the Carolinas southward, the negroes will be able to grasp political power long before they will be competent to guide our intellectual and nicely adjusted civilization. The sequence would be swiftly and thoroughly fatal. Who does not know that upon that particular section would fall a universal, permanent, and deadly blight; and that the presence of a decaying member would vitally involve the interests of the country at large? The partial, bolstered black rule of Reconstruction days at the South, with its corruptions, thieveries, caricatures of government, material stagnation, and miseries, which vanished before white intelligence upon the removal of disfranchisement, is an inkling of what will be when the blacks, advanced enough for the aspiration, but not the inspiration, of governing, shall have become political masters through their own strength, and in the teeth of antagonisms that shall have aroused race pride into vindictive moods. They will rise to power to stay, and make the land an African waste.* The beginning of such a state of affairs would inevitably be marked by race conflicts. The answer of a witness in the Danville riot investigation is representative:

* The course of politics in Washington City and the District of Columbia illustrates the tendency. By Congressional enactment the population, white and black, has been disfranchised. The negro vote, though not the majority, had already made politics so corrupt, so degrading, and so fraught with evil to the municipal government, that, to get rid of it, it was thought better to disfranchise the entire body of the people. This, accordingly, has been done, at the center of African intelligence, and by a Congress that stands forth as a special friend of the colored race.

"When white men put money in a town and seek to build it up, they will not let negroes rule. You may put that down as a sure thing." Three courses would be open to the whites: To submit, to emigrate, or to remain and struggle. The last alternative would, doubtless, be the first resolve, and the races would meet in wasting collisions, until swelling numbers having confirmed black authority, the whites would gradually seek other homes.

Such is the negro problem, the most momentous before the American people, a problem that thoughtful men are dwelling upon, especially throughout the South, with growing anxiety. Some have sought the solution in the dispersion of the blacks over the States, and their gradual fading away, as the weaker race, in the mass of the white population. But they will concentrate, more and more, in a half-dozen States south and southwest, and multiply with phenomenal rapidity. Others have looked for the blending of the two races. Were this to prevail, the result, it is scientifically certain, would be race deterioration. Colonization would be effectual, and necessity will probably realize it over difficulties that now seem insurmountable.

There is a land before the black man, and a motive for his removal thither. The undeveloped African continent has splendid possibilities; the free States of the Congo and other sections will offer him inviting homes. His native land, as the sluggishness born of slavery gives place to rising ambitions and race longings, will it not gain a new interest in his eyes? It would be unworthy of his better manhood to think otherwise. He will, too, be stimulated toward it by the checks and mortifications that his progress and growing self-assertion are doomed to experience here. If he is worthy of freedom and capable of supporting a hopeful citizenship, every impulse of personal pride, every intelligent aspiration, every patriotic feeling, should urge him toward the land of his fathers, where his utmost possibilities would have the fullest and freest opportunity for development.

Should the blacks not choose colonization, let the whites of the whole country demand it. We have been assuming that Southern whites and blacks are the only parties interested; but there is another party, and a powerful one — the Northern whites. Among these has widely prevailed a deep sympathy for the negro, both as a slave and as a freedman believed to be oppressed.

Founded upon a state of Southern affairs largely imaginative, the sentiment was natural, and grew from man's compassionate and justice-loving side. But the whites have race instincts, and when the Africanizing and ruin of the South becomes a clearly seen danger, they will be a unit, the country over, for the remedy. There will be divisions at first, no doubt, and discussions, and party movements; but the influences for union will prove resistless. Material interests, pride of country, race affinity, will force the combination, and demand the separation of the races. Mark how popular sentiment is gathering against the Chinese. The yellow patch on our Western coast is beginning to excite apprehension. On opposite shores of the Pacific, cheap and rapid steamship lines have recently joined two lands, the one with an excessive and redundant population, where wages are at the minimum, the other largely unoccupied, with wages at the maximum. Naturally the yellow tide began to flow in, and, with habits of economy and industry born of an over-dense population, to supplant American labor and interests. Congress has properly interposed repressive measures, and the platforms of the two parties vie with each other in supporting them. Why? Because these yellow people are an alien and distinct race, that will not mingle with the whites, and threaten, through numbers, to Mongolianize the Pacific slope. This is a white man's country, and a white man's government; and the white race will never allow a section of it to be Africanized. When colonization is accepted as the remedy, the whites will stand together to stimulate and assist it, or, should it prove necessary, to force it. If the right be questioned, we reply that, in extraordinary emergencies, states have never found difficulty in reaching popular and vital ends, however laws may read or constitutions be construed.

The whites, and not least the Southern whites, have good wishes for the negro. He has been a necessary and efficient laborer, and has added immensely to the country's wealth. It is not forgotten that during the war he made no attempt to rise against his master. Since the war, he has, upon the whole, creditably filled a difficult position; and the material and educational advance that marks his twenty years of freedom is ground for a hopeful future, under fitting conditions. The evils of his stay here are not individual, but inherent in the race, and unavoidable; and they lie in the future, when, under our forms of govern-

ment, over wide sections, and in the presence of the race that has created it, he will rise to the political control of a highly intellectual civilization, with which he has not been identified, and for whose guidance his training will have been insufficient. The results would be disastrous to both races, and for their common good let them be separated, and the African turn, or be turned, to Africa.

E. W. GILLIAM.

PROGRESS IN NAVAL ARMAMENT.

SOME years ago I prepared for the NORTH AMERICAN REVIEW an article on "Systems of Offense and Defense in Naval Warfare." Since then much has been said in regard to progress in this matter, because of the intense interest the subject excites in all maritime countries.

Let me first draw attention to what I feel to be an important fact, and one that appears to have hitherto escaped notice. It is that the proud superiority in naval warfare claimed by England and America, on account of the boasted superior prowess of their seamen, will be seriously tested in any future war in which they may be engaged, for the simple reason that powerful artillery, well served, must take precedence of the finest seamanship in deciding the result of a naval battle. It is obvious that the glorious sailor-like maneuvers of Lord Nelson, by which the victories of Trafalgar and the Nile were won, can never again be put into execution, because in place of the sailing line-of-battle ship so splendidly handled as it was under canvas, there is now the huge iron-clad, easily moved under steam in all directions, which will be assisted in its work of destruction by new weapons, such as the ram and the torpedo. Who, then, can predict what will be the result of the next naval engagement? That good sea-legs, skill at the wheel, and presence of mind—qualities for which seamen of the Anglo-Saxon race are still so celebrated—will always tell in a struggle at sea, is not to be denied; but it cannot be kept too prominently in view that overconfidence in such matters may lead to the most disastrous results. It should be borne in mind that the smallest rope accidentally fouling the screw, may deprive the ship of her maneuvering power at a critical moment; or a shell penetrating the boiler from the unprotected deck above, may completely disable her. In either of such cases, how unavailing would be the qualities

above mentioned in the crew of the vessel thus virtually put *hors de combat!* I merely mention these facts as a warning to the overconfident, who, trusting to traditions, may think it not necessary to keep naval progress close to the heel of invention, especially as regards the construction of ships and their armament.

Let us now see what has been done to ships and their armament in the way of alteration during the past few years, amongst the naval powers of the world. Generally speaking, a feverish anxiety is manifested in every country to increase the naval strength. In some, progress is taking the direction of torpedo-vessels, the idea being that a host of pigmy assailants is more than a match for the strongest giant. In others, the swift cruiser with long-reaching weapons is the favorite system, the intention being in case of war to avoid any direct encounter with the naval strength of the enemy, while harassing it by unexpected attacks in isolated quarters. Other governments, again, are for creating a formidable line of defense, which shall be at the same time most powerful for attack; and so increased thickness of armor and a larger caliber for guns is the order of the day.

Naval preparations, in fact, are being pushed on with a rapidity that almost takes one's breath away, and raises the question, To what purpose is all this expense being incurred? A glance at the general condition of naval matters shows clearly that the supremacy of England is threatened; and that a short time hence, without great exertions on her part to increase her navy, a coalition of two or more of the European powers would prove too much for her at sea. It is true that she still heads the list in respect to number of iron-clads, but it is admitted on all sides that her guns are much inferior to those used by some other nations. Her naval authorities, who obstinately clung to the muzzle-loading system long after it had been abandoned by other governments, have had to acknowledge this discreditable fact at last, and in all haste efforts are now being made to recover the lost ground. But the heavy guns of the present day, with their composite construction, require much time and care for their completion, and it will be (I use the words of an English naval officer of the highest rank and position) the end of 1885 before the new and essentially necessary breech-loaders have taken the place of the obsolete muzzle-load-

ing artillery with which the English iron-clads are still armed. These new guns will not have greater range, but will be much lighter in proportion to their caliber than the old, on account of the adoption of a new principle in their construction, that of steel tape for the coils, instead of rings of solid metal. The great advance, then, that has been at last made by England is in the direction of naval artillery. I am willing to admit that the system of enrolling the crews of ships, and the disciplining and training of men, as practiced in the British navy, is all that it should be. The thoughtful consideration, also, given to the general requirements of ships, fleets, and squadrons, by the naval authorities, is not surpassed by those of any other nation. As a proof of this, I may cite the attention now being given to the question of how to protect boilers from the effects of a plunging fire. One idea that appears to have found favor, is that of having immediately over the boilers a sort of double deck, the space between to be filled either with water or some elastic substance, such as cork.

As a preface to what I have to say about the naval strength of France, I will quote a passage from an official statement that has lately come under my observation: "Muzzle-loading guns are entirely obsolete in the French navy, except for saluting purposes at dock-yards." The breech-loading gun, in fact, has long ago replaced the muzzle-loader in the French navy; and to this point of superiority over the British must, in my opinion, be added another, the larger number of vessels built expressly for ramming. Now the ram I hold to be one of the most powerful weapons of attack that could well be devised; but to make it really available in the way I would propose, the vessel so armed should be of special construction, and fitted with no other armament. To arm such vessels with heavy guns, as the British government has done in the case of the only two vessels in its service that bear the designation of "ram," is a great mistake, as it tends to give them a position in the fleet that they ought never to occupy. Their formidable armament makes essentially fighting ships of them, and in a general action it would be difficult to guard against their guns being used to the prejudice of their real weapons, the terrible plate-ripping spurs attached to their bows. Whilst serving the guns, the opportunity for using the ram would often be lost, owing to the difficulty of making out the movements of the enemy through the thick cloud of smoke

that they themselves would create. In respect to rams, I would suggest that they should carry nothing in the way of artillery but a few machine guns, so that the attention of those in command in time of war might never be diverted from the real purpose for which those vessels are constructed. The use of a ram in battle, wanting as we are in experience, is at present a matter of opinion. According to my own ideas, which I find are shared by much more capable men, such vessels would prove of the greatest possible service. I even think that their employment will go as far to revolutionize the conditions of naval warfare as has the introduction of breech-loading guns and rifles those of fighting ashore; and that the naval power that has neglected to provide itself with such means of attack will have as rude an awakening to its folly, should it ever be at war with another, as did the Austrians at the battle of Sadowa, when the despised needle-gun gave the Prussians the victory. Let the reader imagine a squadron of such vessels attached to a fleet engaged with an enemy. Watching every movement, they could be held in readiness for a rush at the propitious moment, and many such moments must necessarily be offered by the chances of battle. A vessel hotly engaged, enveloped in the smoke of her own as well as the enemy's guns, could hardly keep such a watchful eye around her as to be able to maneuver in time to escape the blow of one of these formidable antagonists. A pair of them acting together might attack from opposite directions, in which case the effort to avoid the one would throw the enemy into the path of the other. Again, any iron-clad separated from her consorts, or disabled in the engine-room, would inevitably fall a prize to the ram squadron, or pay the penalty of resistance by sinking beneath their blows. I need not continue further, for any sailor or person accustomed to maneuver ships must see the immense advantage to a fleet of having two or three rams attached to it. The French authorities are evidently convinced of the value of ramming as a mode of attack, and, in the construction of their new iron-clads, have been giving special attention to power in this direction. I find in the official list no fewer than fourteen vessels set down as rams, and seeing their size, weight of armor-plating, and speed, as well as armament, one cannot help being struck with their efficiency as fighting craft.

Having shown what I believe to be the best point of the French navy, I will now speak of what I consider to be its weak

ones. Of these, the principal, in my opinion, is the practice of mounting the guns too high. Nearly every French iron-clad carries her guns *en barbette*, or in batteries placed so far above the water-line as greatly to impair the stability of the vessel in a seaway. With any swell, these vessels roll to such a degree that it is almost impossible to use their guns. This plan of arranging the armament my experience tells me is a fatal error, which some day may cost the French very dear. It is curious to note that, whilst in England the object sought apparently is to have the guns as low as possible, in France the endeavor seems to be to mount them as high as the construction of the vessels will allow. The value of "all round" fire is duly appreciated in both countries; but while the French obtain the facilities in their system of barbettes, turrets, and sponson batteries, the British obtain them by their indented ports and revolving turrets, combined with a low free-board. The French are making every effort to perfect the training of their naval officers and seamen. Evolutionary squadrons are constantly at sea, accompanied by rams and torpedo-boats, and I doubt not that, should their services be unhappily called into requisition by a European war, the French iron-clads would play a gallant part and prove most formidable antagonists.

Although there is a great deal of talk about Russia's huge iron-clads, both built and in course of construction, and it is a fact that she takes the lead of all the powers in respect to number of torpedo-boats, I cannot think there is much to fear from her fleet, when such vessels as the Peter the Great and the two Popoffkas are amongst its most formidable items. Much might be said in adverse criticism of the Russian navy, especially in regard to the construction of its iron-clads and their armament. But my acquaintance with many of its officers, for whose pluck and seaman-like qualities I have the highest respect and admiration, prevents me from making what in my peculiar position might be considered invidious remarks. I will therefore confine my observations to the fact that, although Russia may not possess a powerful fleet with which to encounter an enemy at sea, she is fast preparing a most formidable system of coast defense. She has adopted both the Whitehead and the Lay system of movable torpedoes, and the number of small craft specially built for the use of such weapons has now reached one hundred and twenty, against England's one hundred and nineteen. Several of these boats have been passing up the Bosphorus lately. They

are apparently fine sea-going craft. It is said that they can steam a thousand miles without visiting a coal depot, and that their speed is seventeen or eighteen knots an hour. Russia, it is well known, has also in view the damage that can be inflicted upon an enemy by crippling its commerce on the high seas. The national fleet is intended to play the part of Alabamas. It consists for the moment of four large ocean steamers of fair speed, but not extraordinary in that way. They would, as far as I have seen them, meet with more than their match in any of the regular British liners, though doubtless the slow-going class of steamers would suffer from their operations.

Germany has made immense progress of late years in naval matters. She is no longer in the same position as when the war broke out between her and France, and if the same rate of advance be maintained, it will not be long before she will have to be placed amongst the first-class naval powers. New vessels are being constantly built, and these, as well as those already afloat, are armed with the most perfect if not the most powerful guns in the world. Although they have (unwisely, as I think) not yet determined to adopt rams specially built, as adjuncts to to their fighting squadron, the Germans possess eight or ten of what they call armored gun-boats, which would undoubtedly prove most serviceable in defensive operations. The German naval authorities are not ashamed to follow the example of England, which country they candidly admit to be at the head of naval powers in respect to the discipline, training, and general organization of fleets; and they cover the seas at home and abroad with the all-essential training-ships. But it is in the development of the torpedo as a weapon of war that Germany's progress is most seen. In this she takes the lead of all other countries, not excepting England. The Germans have not forgotten how, in the overthrow of the Austrians, they were rewarded for having had the courage of their opinions and adopted the needle-gun when the rest of Europe was laughing at it. As it was with that old fire-stick, the mother of all the breech-loading rifles that have succeeded it, so it is with the torpedo, in which the Germans see a powerful means of damaging their enemies. They have a very large corps of specially trained men, and such a perfect system of organization for coast defense that in a very few hours after a declaration of war the entrances to their harbors and their coasts in general can be completely blocked

against the approach of the enemy. The German Government was the first to give serious attention to the Whitehead, and has improved upon it; and in the Swartzkopf possesses the most perfect type hitherto known of movable torpedo. By patient investigation and a minute attention to details, the Germans have arrived at results the value of which will be clearly seen in the next war in which they are engaged, more especially in respect to sea-mines and obstructions in general. With them the practice of torpedo warfare is no mere holiday drill. High winds and a rough sea are their favorite conditions, and it is the boast of their torpedoists that they are able to attack an iron-clad under circumstances that would deprive it of the use of its guns. I must confess that I do not hold the torpedo, as a weapon of offense, in so high esteem as some naval authorities appear to.

What there is of the Austrian navy is in good condition. An Austrian man-of-war looks likes an Austrian gentleman, well equipped, dignified, and ready for any work that might be expected of it. I cannot help thinking it would be well for the balance of naval power in Europe if the Austrian fleet had four times its present strength. Austria, unfortunately, has done little in the way of ship-building for her navy of late years, so that her iron-clads are all more or less deficient in the points that go to make up a first-class ship of the present day. They are weak in construction, and but slightly armored as compared with the vessels that would form the fighting line of a British or French fleet. The Vienna Government, however, has begun to wake up to the necessity of adding to its naval strength, and I doubt not we shall shortly hear of the keel of more than one formidable craft being laid. One point in which its navy is highly efficient is that of the *personnel.* The seamen are the descendants of those who manned the Venetian fleet of old, and their equal in courage and daring is only to be found amongst the sea-faring people of northern Europe. They are exceedingly well drilled, and the officers know how to handle their ships and fight them, as they showed at the battle of Lissa. In proof of the excellence of the Austrian system of organization and training of naval forces may be cited the fact, that at the recent maneuvers in the Adriatic, two iron-clads that had been in commission only seven days were able to hold their own with the evolutionary squadron that had been cruising about in the

Mediterranean for several months. In addition to the regular navy, the Austro-Hungarian Government has a valuable auxiliary force in the ships of the subsidized Lloyd's company. The vessels are all strong enough to carry an armament of light guns, and in time of war they could be utilized either as cruisers for the destruction of the enemy's commerce, or to convey torpedo-boats about, as did the Russian steamer Constantine during the late war.

Italy, while experiencing the greatest difficulty in meeting her financial engagements, spends fabulous sums in the construction of huge iron-clads and enormous unwieldy guns, besides adding almost daily to her torpedo flotilla. Italy, in fact, is making greater efforts toward the attainment of naval supremacy than even England, although, in my opinion, she has chosen anything but the proper path. The construction of such large vessels as the Duilio and Dandolo, Italia and Lepanto, is a repetition of the old mistake of putting all your eggs into the same basket. These ships certainly carry the most formidable armament ever set afloat, but their loading arrangements are so imperfect that while one round is being fired from their guns, half a dozen can be given by an enemy. Between two successive shots of the Duilio, a nimble craft with somewhat lighter guns has time to rush in, deliver her fire, and then steam away again out of danger. With all their heavy armor and defensive arrangements in general, the Duilio class of iron-clads are by no means to be considered impregnable. There are certain vulnerable points about them, near the bow and stern especially, where a few well-delivered shots would soon render them *hors de combat*. I think one of these Italian vessels, attacked by three or four of the waspish craft recently built by other governments, would have a very bad time of it. Seeing that in the contest between defensive armor and the gun, the victory has always been to the latter, it is highly probable that the days of the heavily armored iron-clad will soon be numbered. It is more than likely that a short time hence an entirely new class of vessel will be looked upon as the proper type of fighting ship; and then, it may be asked, where will be the millions spent so ambitiously by presumptuous young Italy?

So far I have spoken only of the fleets of the great European powers. The other maritime governments are also, each in accordance with the resources at its command, pushing on their

naval armaments. Denmark and Norway and Sweden are chiefly interested in defensive measures, and so are concentrating their efforts upon the increase of their torpedo craft and armored gun-boats. The naval authorities of Denmark, after a series of experiments, the results of which were deemed most satisfactory, have determined upon an entirely new construction, and are now engaged in building a number of ram-gun-boats with cupola decks. The armor is to form a shield over the vessel, so as completely to protect the engines and boilers from a plunging fire. These craft will be very formidable, as they are to have a high rate of speed, and in addition to the ram are to carry torpedoes.

Greece is another small country very ambitious to possess a respectable navy. The Hellenic Government has decided to construct four very powerful armored corvettes, and the money for them having been provided, a special commission is now studying the plans and tenders sent in by the various ship-building firms in Europe.

The United States, according to my views, is pursuing a wise and sensible course in regard to her naval armament. She sends into foreign waters fine, large, warlike-looking corvettes, vessels of high speed, heavily armed, and well officered and manned. By this means the *personnel* of the navy receives just the training necessary for carrying on such a war of defense and reprisal as would best serve America's interests in a war with another maritime power. Fast cruisers and torpedo-boats are all that America needs; the one to prey upon the enemy's commerce, and the other to keep its iron-clads off her shores. Situated as they happily are, far removed from the spheres of European politics, the American people can afford to look on quietly while the arming of Europe is going on.

The total number of armored vessels possessed by the European powers, including those in course of construction, is three hundred and fifteen; of which sixty-three belong to England, sixty-eight to France, thirty-one to Germany, thirty-nine to Russia, nineteen to Italy, thirteen to Austria, nineteen to Turkey, twenty-three to Holland, twenty to Sweden and Norway, nine to Denmark, seven to Spain, one to Portugal, one to Roumania, and two to Greece. It must be understood, however, that amongst these iron-clads are reckoned all the gun-boats, so that a high number does not necessarily imply a powerful fleet. The

apparent disparity would be removed by a close examination of the vessels, and a real comparison of the relative strength of the various navies of Europe would place them much as they stand in the above statement, so far as guns and armor are concerned. Although the number of European iron-clads is thus set down as three hundred and fifteen, a certain percentage must be taken off on account of the non-effective vessels, the number of which will greatly increase within the next few years. At present two hundred and twenty-six only of the iron-clads are fit for service. Of these, fifty-seven belong to the English fleet, forty-five to the French, twenty-four to the German, twenty-one to the Russian, thirteen to the Italian, ten to the Austrian, fourteen to the Turkish, eighteen to the Dutch, eight to the Danish, five to the Spanish, eight to the fleets of Norway and Sweden, two to that of Greece, and one to the Portuguese. Thus it is seen that in spite of the numerical difference of five ships in favor of France, England still maintains her old position as the first naval power of Europe. France, however, is running her very hard, and a few years hence, if the present conditions of naval progress in the two countries remain unchanged, she will be quite alongside, if not ahead, of her ancient rival; for the iron-clads now in course of construction will then all have been completed and added to the respective navies, while many others will have been removed from the lists, as vessels of obsolete construction, unfit for further service. The fleets of Europe would then stand much as follows: The English forty-seven iron-clads, the French forty-five, the German twenty-three, the Russian eleven, the Austrian nine, the Dutch seven, the Italian eight, the Turkish nine, and the Danish five. About the year 1890 the French fleet will be quite a match for the English, a circumstance deserving the highest attention on the part of the British Government, seeing that it will never be possible to concentrate the whole strength of its navy in the Channel, owing to the necessity of protecting its many interests elsewhere. In fact, England's prospects of ruling the waves in future as of old, are anything but bright. Germany, on the other hand, is coming rapidly to the front, and at the date mentioned will probably be in a position not only to enforce respect from England and France as a first-class naval power, but to keep the sea in face of any naval combination that the Baltic powers can bring against her.

I cannot close this paper without some remarks upon a naval weapon regarding which all the world seems to be going mad. I have some right to do so, because I am, perhaps, the only man living in Europe who has had, while commanding a fleet, the unpleasant experience of being hunted and frequently attacked by squadrons of torpedo-boats. My experience during the Russian war has led me to depreciate the existing torpedoes as weapons of offense, and I look upon them as valuable only for their moral effect. The Turkish vessels under my command during the late war were attacked at various times by the Spar, the Harvey, and the Whitehead torpedoes. In two instances only were they successful, and that solely on account of neglect of the orders given in respect to the precautions to be taken for the protection of the vessels. Both the Harvey and the Whitehead signally failed when employed by the Russians in the Black Sea, the one at Soukhoum Kalch and the other at Batoum. It was only on the Danube, and owing to the absence of guard-boats and anything like a "crinoline" protection of spars and ropes, that a steam-launch with a spar torpedo was able, on one occasion, to effect the destruction of a small gun-boat. The Whitehead torpedo is very much overrated, according to my way of thinking. Its movements are uncontrollable, and, once launched, everything depends upon the correctness of the aim and the immovability of the target. Experience has shown that there is no chance of a hit where the range is over five hundred yards, and the lookout must be poor indeed that cannot signal the approach of a hostile craft before she arrives within that distance.

Although it is now the fashion to fit iron-clads for the use of the Whitehead torpedo as a part of their armament, I do not think for a moment that they will ever be launched from ships when fighting in anything like a formation, as would be the case in a general action, on account of the danger of striking a consort instead of the enemy. Their use I would restrict to special vessels that could afford to wait the opportunity for launching a torpedo under conditions that would insure success. The Lay torpedo I consider to be a much better weapon than the Whitehead for attacking ships when passing through narrow channels, on account of the perfect command that the electrical steering gear gives the operator over its movements. It ought, how-

ever, to possess more speed and a greater degree of invisibility than were shown during the experiments carried out some years ago in the Bosphorus. To produce a really serviceable locomotive torpedo, the following conditions must be fulfilled: First, a high rate of speed, and an effective range of not less than a mile; secondly, invisibility, or, what would answer the same purpose, such a system of construction as would be a guarantee against its sinking from the effects of Nordenfelt projectiles or shell fire; thirdly, perfect command over its movements, so that a change of aim might be made at any moment during the run; and, fourthly, one of the most important conditions of all, the capability of conveying and exploding charges of gun-cotton or dynamite at least twice as heavy as those now carried by the Whitehead, at depths greater than those to which the armor belts of iron-clads are likely to extend. All these conditions General Berdau declares his system of locomotive torpedoes will fulfill. He has been experimenting at Constantinople for some time past, and is still confident of success. I offer no opinion, either on this point or on the system he is engaged in perfecting, but will confine my remarks to saying that should he really succeed in producing a weapon that can do all he claims for it, the conditions of naval warfare will be completely revolutionized.

HOBART PASHA.

HALF-TIME IN SCHOOLS.

FIFTY years ago the business of public education in America had fallen into what was, to say the least, a very unsystematic condition. Its superintendence was left very much to local authorities. Where they were on the alert, it was well managed; where they were indifferent, it was behindhand. When ground was once lost, it was difficult to regain it. On the other hand, when schools were good in any town or neighborhood, there was no immediate reason that their success should improve other schools. Meanwhile, the reputation of the American system of public schools had reached Europe and had interested statesmen and students there. Such an American system then was and is. It may be briefly defined as the system by which every one is educated at the public expense,* and in which no one religious communion is permitted to interfere. So striking was its success that the European states, in more instances than one, sent inspectors to America to study and to report upon it, and its success and reasons of enlightened policy led every intelligent nation of Europe to take measures for the introduction of a general system of public education. What was called the Prussian system, and other European plans, with the published reports of the European commissioners in America, reacted on America. More than this, the great Western States, as they grew in wealth, did as they always do. They determined to "get the best," and, having white paper to write upon, they were able to establish systematic instruction. The older States also appointed boards of education and State superintendents, at

* The education of children at the public cost appears as early as the laws of Charondas in Thurii, on the site of the old Sybaris. "He enacted that all the sons of the citizens should be instructed in letters, the city paying the salaries of the teachers. For he held that the poor, not being able to pay their teachers from their own property, would be deprived of the most valuable discipline."

first with small powers of interference with local boards, but with that power which a central office always has, and, of course, with the love of system for which, indeed, such offices and such officers are created. The indifferent towns were driven up by whatever engineering was possible, of statute or ridicule, to the standard of success attained by the towns that had done best, and in each State it was gradually assumed that what was good for one place was good for another. If a certain system of grading and of text-books were good for the Twelfth street school in the city of New York, did it not follow, of course, that it was good for the children of the fisherman at Montauk Point? If public education is a good thing, is it not clear that we cannot have too much of public education?

There are many well-informed persons, who are yet ignorant enough to suppose that the somewhat forced revival that led to the "systems" of public education, and to the various superintending boards in this country, was really the beginning of our successes in this time. They are quite mistaken. While the new systems have doubtless wrought great benefits, these benefits have been accompanied by some losses—losses which perhaps may never be regained. The first of these losses is the loss of spontaneity and originality in the teacher. This has been admirably satirized in a brilliant serial story called "The Evolution of Dodd," recently running in the "Illinois School Journal." "The machine," as the writer of that story irreverently calls it, takes the place of natural methods, adapted by each teacher for each child. Indeed, the first effort of "the machine" is to employ professional teachers who know how to "run with the machine." In old times, every intelligent young man or young woman that had an education better than the average, was apt to spend a few months or a few years in school-keeping. To this hour you may meet people who glow with pride as they tell you that they were under the care of Daniel Webster, or Edward Everett, or Harriet Beecher, or Lucretia Garfield, in those early days when such people were giving the most vigorous years of their young lives to school-keeping. But no teachers of that stamp are asked for now, in the "true system." There are certain methods to be followed, which amateur school-masters cannot be expected to understand. At best, such teachers as these only prepared their pupils for life.

Now, as Jules Simon said so wittily, "We do not prepare our pupils for life, but for examinations."

Another loss, only second to this, was sustained when the heresy came in, now nearly universal, which extended the school course so that it should cover almost the whole of the year. In the beginning it was not so. Fifty years ago it was understood that a boy or a girl had many things to learn besides reading, writing, and arithmetic. Thus, it was understood that a boy must know the use of his hands and his feet. He must know what a bushel of wheat was when he saw it, and how a blacksmith shod a horse. He must know the methods of a town-meeting. He must know how to milk, how to plow, how to cradle oats, how to drive, how to harness a horse, how to take off a wheel, and how to grease an axle. There were ten thousand other things that he must know, of no less importance, not one of which is ever well taught in school. For a girl, it was understood that in average life she must know how to make and mend her clothes, and her brother's and her father's; how to knead, to bake, to stew, to boil, and to roast; how to wash, how to iron, and how to clear-starch; how to tear a bandage, and how to put one on. There were many regions where she was expected to know how to cut up a hog, and salt his members; how to smoke them for hams; how to preserve fruits and vegetables. Most of these things are taught and learned in schools, only with the greatest difficulty. The fathers and mothers of the older generations, therefore, reserved time, away from school, in which the children should learn these things. For study in reading, writing, and arithmetic, they provided three months of "schooling" in winter. They also opened the school for a summer term, and the pupils then came back to their book-study from exercise and experience in other directions.

But the official Superintendents of Education, naturally enough, detest this simple and practical system. In the first place, they have their office to magnify. They think the school-room is the most important place in the world, as the blacksmith thinks his forge is, and the sailor his ship. From the beginning of the "Revival" in American school-keeping, there has been an effort to break up the healthy old system of a winter school and a summer school, and to substitute for it the steady grind of a school kept through the year. That is to say, it is to be kept so

nearly through the year as to be a permanent institution, with permanent teachers, and a permanent registry; and the vacations and other holidays are merely unwilling concessions to frail human nature, which sometimes revolts from pot-hooks, trammels, common multiples, and the analysis of sentences, and claims some little knowledge of the outward world of life.

What follows from the new system is the discovery, at the end of a generation, that the children educated under the new system have no experience with tools and no ability with their hands, and but very little knowledge of practical life. As a first consequence of such failure of the schools, the average parent withdraws his child from the schools at a very early age. The State pays largely for the education of its children, and yet does not receive what it pays for. It is difficult to obtain statistics on this vital point; but it has been said, on high authority, that in the schools of the large cities the average boy does not go to school after he is twelve and a half years old. A few boys go till they are sixteen or seventeen; but so many leave at ten or eleven years that, for the average, school attendance is over before the boy is thirteen. We beg the school superintendents, from those elaborate papers of registry that are kept so painfully, to give us more light upon this point. Something near this statement is true, and, because it is true, one has not far to go in seeking to account for the steady increase of the "hoodlum" class in our large cities.

Puzzled with the failure of the new system on its practical side, the educators who "run with the machine" try to strain it to make it take the work that was once gladly done elsewhere. To the simple curriculum of the school that taught the three Rs, this, that, and another thing is almost of necessity added. Whenever an accident or calamity calls attention to the lack of real education, there is a demand that "the schools" shall take something else in hand. Thus, the music fails in churches, and "the schools" are set to teach music; the girls cannot mend their clothes, and "the schools" must undertake sewing; a boy does not know a handful of wheat when he sees it in his father's office, the father makes a row, and "the schools" have object-lessons in the knowledge of cereals. We are seriously told, by a writer of sense and experience, a woman also, that the schools should be so arranged that a girl shall learn how to broil a beefsteak there. In the kindergartens most thoroughly provided,

the little girls do have model bedsteads and model beds, in which they are taught the duties of a chambermaid, and have toy dust-pans and dust-brushes, with which they are taught to "dust" a room.

It is true that the best professional teachers manfully resist such additions to the school courses. They would gladly keep out such innovations, but they cannot help themselves. The things are absolute necessities. Beefsteak cannot be talked out of society. To their horror, they find that the people, in whose hands is the government of this land, compel them to teach what, in the old system of half-time, the people were willing to teach at home. It needs, of course, no experiment to prove that these practical affairs are learned more quickly and better at home than at school. Mr. Stanley Hall's curious investigation proved that a considerable number of pupils in a good Boston school thought that a cow was less than three inches long. Such is the result of using a primer in which the picture of a cow is as small as the picture of a gimlet.

If, now, it were only to gain the desirable knowledge of common things, most parents who have had experience of both systems will decide that the pupil who is at school twenty-four weeks in the year, is better off than the pupil who is at school forty-six weeks in the year, other things being equal. The loyal and intelligent father submits to the convenience of the great body of the people. But if he had his own way, he would say that the boy or girl who has the book-work by itself and the out-door work by itself, is better off than the boy who has to do his outdoor work indoors. Indeed, so far as judging institutions by their fruits is a rule, the half-time system makes quite as good a show as the full-time system. The remark is constantly made that "country-bred boys," by which is meant boys bred on the half-time school system, "go ahead" of "academy boys." It is certainly suggestive. The system under which Daniel Webster was trained, or Jonathan Edwards, will not fear to be tested, if the test is to be a show of men produced by it.

And, so far as the attempt to give a knowledge of things or of processes of handiwork is made at school, it is clear enough that it cannot really succeed. As matter of the theory of education, indeed, the schools are wholly transformed by the introduction of the extra studies required in the full-time system. They are injured in the same degree on all the sides of intellectual effort.

In these changes the fundamental idea of a good school is forgotten. Children are really sent to school, not to learn facts, but to learn how to learn them. But in the modern system the teacher is compelled to pour in avalanche after avalanche of facts, though he know that they destroy, in their progress, the careful roadways that he has been building. A pathetic instance is in the introduction of "English literature" into the school curriculum. Nothing is sadder than to see a boy struggling with "Ivanhoe" or "Henry the Fifth," as a school task.* Of course he should read them in the spontaneous joy of home-life. He would read them so, if you permitted him to have any home-life or any spontaneous joy. Failing this, because you know he will be disgraced if he do not know the difference between John Falstaff and John Knox, you make two school exercises in which you teach him that John Knox died in 1572, while the character whom Falstaff represents was roasted to death in 1417. If by good luck your boy remembers the word "Falstaff," or the word "Knox," your school will not be disgraced when the day of examination comes. But it is certain that he will not remember either word a year after. The teachers of the public schools would gladly keep out of them all these extra studies. But in their agonized pleas that they may not be expected to teach hemstitch, cookery, gymnastics, and "Ivanhoe," they must remember that the boys and girls must attend to such things, and must have some time for them. I do not care to dwell on the injury they inflict on the school as a place for intellectual discipline.

A more serious danger of the full-time system is moral. By taking boys and girls out from the working force of the world, as it does, it gives them to understand that they are the only creatures of God that have nothing to do for the world in which they live. The community is taxed, the hours of home and its occupations are regulated, so that the public schools may be carried on. Everything yields to the mechanism of these schools. Their apparent purpose is that the children shall be more learned. Any child who could analyze the system intelligently would conclude that the children are the most important persons in the world, that they are born in the purple, and are to be kept in the purple, and that, like the princes in Plato's

* One or two English novels or plays are now among the "requisites" for examination at the best colleges, as the Æneid or Alcestis might be in Latin or Greek.

Republics, they are never to put their own hands to useful work in the common weal. Now, this conclusion is false from end to end. In truth, the child is, from the beginning, a dependent part of the organism that we call mankind. Or, to state it backward, "the human race is the individual, of which men and women are the separate members." This is the phrase of Fichte, which he borrows from Paul, who took his figure from Menenius Agrippa, or, more probably, from his own fellow-countryman, Æsop. Selfish men try to forget this; that is bad enough. It is much worse to arrange your school system so as to divorce the children from that intimate relationship with their kind, in which they also do their part of the common work. In the good old life of the country, where the half-time system makes such a thing possible, boy and girl are parts of the great organism. The boy who drives the cow to the pasture or rides the horse to plow, the girl who opens the gate that the cows may come in, or carries out food to the chickens, are in the common life; they give and take, they lend and borrow, they help and are helped. But the average child, in the machine life of our full-time public-school system, has no chance to render any service. He constantly receives, and never gives. He does not even wash his own slate, far less does he wash that belonging to any one else; he cannot go on an errand; the hours of meals at home must be subordinated to the school requisitions; he gradually ceases to think that he is a person to be called upon for service; he is almost annoyed if it is suggested that he is a part of the working force. All this is very bad for him morally.

The superintendents, supervisors, and other official people who have somewhat scornfully turned over these pages thus far, will consider that they make a very great concession if they admit that, for the present, in some thinly-settled rural districts of great poverty, the old half-time system may be endured a little longer. They all look forward to a blessed millennium when a stiff State grant, or a large school fund, may blot such embryotic work out of existence and arrange all the schools on the full-time system. I propose exactly the other change. True, I propose that the school-masters and school-mistresses shall be engaged for a year's service, paid for it, and indulged with such vacations as fall to doctors, lawyers, ministers, and other educated people. But I propose that each of the children shall go to school just half the time that the teachers spend there.

This plan is carried out in many of the English factory towns, where "half-time," means that half the pupils go to school in the morning, and work in mills in the afternoon; while in the afternoon the school receives the other half, who have been at work in the morning. It is well known, and is an interesting fact, that these children advance in their school studies as fast and as far as those who are kept in school all the time. But I do not believe that this system of half-time can be compared, for practical efficiency, with the old national system of this country — the system of a winter-school and a summer-school. Without discussing detail, I will give the outlines of the plan I suggest as the system that would work best for all the public schools of New England. I speak of those schools because there I am at home. I believe the general plan, with proper modifications, will meet the objections oftenest felt in the public-school systems of all parts of the country.

I propose that in every school district where there are as many as sixty pupils, they shall be divided into two brigades. The brigades might be divided by lot, with liberty of exchange from one to the other, where convenience required. Let the school year begin with the first Monday in September. I would send brigade A to school fifteen weeks, from the first Monday in September to the third Monday in December. They would then remain at home; the parents should do with them what they choose, which is more than any parent does with his children now. The second brigade, or brigade B, would then take their long term of fifteen weeks, which would bring us to the second Monday in April. We have sixteen more school weeks before the third Monday in July. Each brigade would have eight of these weeks at school, and eight at home. On the third Monday in July the school-masters and the school-mistresses would take their vacation, which would last until the first Monday in September.

It is a pathetic comment on the present artificial system, that the first criticism made on that which I propose would be: "What in the world should we do with the children if we had them seven months at home in every year?" People have, in fact, drilled themselves to think that God did not mean that they should take care of their own children, but that they should intrust such care to other people. They would soon learn to do what the farmer, or blacksmith, or minister does in the country

town where the natural system still holds; they would make the children of use. The boy or girl would again be a part of the Kosmos. If he had time to study or read, he would do so under that good master, himself, if he had no other. He would learn the value of time, the necessity of punctuality, the need of subordination; he would acquire modesty and self-control, order and method, quite as well as he does at school. He would have a much better chance for physical exercise and training in the industrial arts than he has now. His chance for health, eyesight, and a well-balanced constitution would be much better than it is now.

I will venture to illustrate the work of the system in a large city by a passage from the journal of my friend Colonel Ingham, when, in Garibaldi's time, he discovered again and visited the city of Sybaris. He found the laws of Charondas still in force there.

"*Tuesday, 5th.*—Fine again. I have been with the boys a good deal today. They took me to two of the gymnasiums, to one of the swimming schools, to the market for their *nomos*, and afterward to an up-town market, to the picture gallery and museum of another *nomos*, which they thought was finer than theirs, and to their own sculpture gallery. As we walked, I asked one of them if I were not keeping him from school.

"'No,' said he, 'this is my off-term.'

"'Pray, what is that?'

"'Don't you know? We only go to school three months in winter and three in summer; I thought you did so in America; I know Mr. Webster did; I read it in his life.'

"I was on the point of saying that we knew now how to train more powerful men than Mr. Webster, but the words stuck in my throat, and the boy rattled on:

"'The teachers have to be there all the time, except when they go into retreat. They take turns about retreat. But we are in two choroi. I am choros-boy now, James is anti-choros. Choros have school in January, February, March, July, August, September. Next year I shall be anti-choros.'

"'Which do you like best, off-term or school?' said I.

"'O, both is as good as one. When either begins we like it. We get rather sick of either before the three months are over.'

"'What do you do in your off-terms?' said I, 'go fishing?'

"'No, of course not,' said he, 'except Strep, and Hipp, and Chal, and those boys, because their fathers are fishermen. No! We have to be in our fathers' offices, we big boys; the little fellows, they let them stay at home. If I were here without you now, that truant officer we passed just now would have had me at home by this time. Well, you see they think we learn about business, and I guess we do; I know I do,' said he, 'and sometimes I think I should like to be a proxenus when I am grown up, but I do not know.'

"I asked George about this, this evening. He said the boy was pretty nearly right about it. They had come round to the determination that the employment of children, merely because their wages were lower than men's, was very dangerous economy. The chances were, that the children were overworked, and that their constitutions were fatally impaired. 'We do not want any Manchester trained children here.' Then they had found that steady brain-work on girls at the growing age was pretty nearly slow murder in the long run. They did not let girls go to school with any persistency after they were twelve or fourteen. After they were twenty they might study what they choose.

"'We let no child go to school more than half the time; nor even with the strongest more than four hours a day.'"

I am quite sure that sensible fathers and mothers who have the pleasure and profit of having sensible children, will find it easy to occupy off-time in ways profitable to the children, which will at once justify the system to those who are in doubt. Let me suggest to any father or mother who looks forward sadly to the next century, wishing that he or she lived in that happy era when the school "machine" of to-day will be "smashed" as thoroughly as chivalry is now, that the plan I propose can be easily carried out now, for the benefit of families, even if supervisors and committees are not yet converted. If a dozen fathers living near one another determine to take their boys from school for fifteen weeks, and to present them at the school again when these fifteen weeks are over, any intelligent master will adapt the régime of that school to what he will call "the experiment." Things will go on as if these twelve boys had had whooping-cough, only the boys will not whoop. And there will be a chance to let these boys attend at the office or the store; to learn how to go on an errand, how to cash a check, or how to tie up a parcel; a chance to read Scott or Shakspere; a chance to learn to sing, to dance, to swim, or to fence; a chance for the gymnasium. The fifteen weeks will soon be gone, and when the next school term comes, the boy will go to it with an appetite that the jaded school-boy of the full-term system has, in most instances, quite forgotten. To school committees, and to the finance committees who stand behind school committees, it is fair to suggest what they must not think a corrupt proposal, even in critical days. The system of half-time, while it will probably teach all that the system of full-time teaches, will cost the tax-payer only half as much money.

E. E. Hale.

FRIENDSHIP IN ANCIENT POETRY.

THE critics have been more than usually busy of late, asking the world, What is poetry? But however much interest we may find in this debate, it does not really bring us nearer to answering the question, any more than the discussions of the physiologists have enabled them to answer that other question, What is life? It is hard, indeed, to grasp the subtle essence that we call poetry, and to bind it into any set form of abstract words; but, none the less, we know poetry when we meet with it, and the best definition would neither help toward the production nor heighten the enjoyment of it. Whether poetry can truly be called a "criticism of life" seems open enough to doubt; but there can be no doubt that it is an expression of life, or of some sides of it, in language which is imaginative, musical, beautiful. And of life, those sides of it, or those sentiments springing out of it, which are the deepest and the purest and the most permanent, supply poetry with its finest material—noble sentiments, intensely conceived, adequately and musically rendered. This has given to the world its finest lyrics; and the pure lyric is poetry in its purest essence. If there be any part of life which poetry may call peculiarly its own, it is the whole range of the affections. Indeed these, it may be truly said, have no other so fitting and natural language. When any emotion has kindled to a certain heat, prose—the calm language of the judgment—is no fitting vehicle for it. The more intense the emotion, the more foolish it would look in such a garb. There are many reasons for this. Emotion is in itself rhythmical, and can only be fittingly uttered in the most rhythmical form of words. Again, it is shy and retiring, and needs something to stand between it and the rude gaze of the world. And this the very formality of meter does. It furnishes a veil to the modesty and tenderness of deep emotion. This is one great service of poetry.

It hides our feelings, while it reveals them. Many of the finest, most delicate emotions never have been, and never will be breathed except through the medium of verse. The shyest, most sensitive man will, if he has the power of song, express through it feelings and experiences that he never would have ventured to breathe into the ear of his most trusted friend.

But the poets have not merely expressed what is the emotion or affection as it really exists; they have used affection to interpret the meaning of life. They are the great assertors of "the sovereignty of feeling over knowledge," that to love, rather than to know, is the true end of life. They "measure life by love." Affection is with them the true interpretation of life. In this confused panorama called life, "ten thousand things come before us, one after another, and what are we to think of them, what color are we to give them, how are we to interpret them?" The poets, with almost one voice, answer, that affection, in some form or another, is the key by which we are to interpret the obscurities and contradictions that surround us; that it is the one good which life has to give; the one thing worth living for; the streak of blue sky here and there illumining what else would be but a dark or dismal horizon. Many poets stop there; with them, when affection has been once for a moment attained, they feel that

> "Their soul hath her content so absolute,
> That not another comfort, like to this,
> Succeeds in unknown fate."

But other wiser poets make us feel, even while they best portray affection, that earth is not made for its full fruition; that the inborn, ineradicable desire and capability to love and be loved is here to be trained, disciplined, not rested in as final enjoyment; that enough is given to be a solace and to kindle hope, not enough to rest in as the ultimate good. The poets who do this are exercising their highest office; they make us feel "the infinite in things" when they show that the purest human affection has kinship with what is heavenly and eternal, which it foreshadows, which it rests on, for which it is a preparation.

The forms in which this interpretation of human affection have been set forth in poetry are manifold. In tragedy we see the divine spark struggling with the thwarting elements of life — the sordid, the selfish, and the base. Desdemona's

love, to be wrought out and perfected, requires the presence of a Cassio and an Iago. But it is not of this form of affection — the passionate love of man and woman — that I am now to speak. That would be ground too delicate to venture on; besides that, it would crowd upon our view more than the half of all extant poetry. It is rather that more temperate but not less real form of affection which we call "friendship," that will now engage us. It will be enough if I can succeed in recalling a few of the most rememberable examples of this, as these appear in the ancient poets, that is, the poets of pre-Christian ages. These are, indeed, the lights that more than anything else illuminate and relieve the troubled background of human history.

At the name of friendship, one supreme instance, I suppose, rises up before every one, the earliest and the most known in the records of the past. I need hardly name David and Jonathan, yet I cannot pass them by, for theirs is, and will remain, the typical friendship of the world. Have you ever considered that characteristic of the Hebrew people, that as they attained to a purer, nearer, more intimate thought of God than any other race, so there is in their human affections a home-heartedness, a depth and intensity, elsewhere unapproached. Perhaps these two characteristics have a common ground. Think of the story of Joseph and his brethren, the idyll of Ruth, and many a word scattered through psalmist, prophet, and historian of the Old Testament, and you will understand what I mean.

But, pathetic as the others are, the finest type, the highest ideal, of true friendship will always be that which began when that shepherd boy, who was "ruddy, and withal of a beautiful countenance, and goodly to look to," was brought from the sheepcotes of Bethlehem into the palace of the king, and the king's son looked upon the shepherd lad, and "it came to pass that the soul of Jonathan was knit with the soul of David, and he loved him as his own soul." Then that last meeting, when David "arose out of his place toward the south, and fell on his face to the ground, and bowed himself three times; and they kissed one another, and wept one with another, till David exceeded, and Jonathan said to David, 'Go in peace. . . . The Lord be between me and thee, and between my seed and thy seed forever.' And David arose and departed, and Jonathan went into the city," and they met no more. And when Saul and Jonathan fell down slain in Mount Gilboa, what an elegy was

that which David wailed over them. The best that Greece and Rome have to show of friendship looks pale beside this. After David had sung that strain, no such second affection was ever granted him. In his life, so full of startling vicissitude, the opening scene stands alone for its brightness and attractiveness:

"Double praise thou shalt attain,
In royal court and battle-plain;
Then come heart-ache, care, distress,
Blighted hope, and loneliness;
Wounds from friend and gifts from foe,
Dizzied faith, and guilt, and woe;
Loftiest aims by earth defiled,
Gleams of wisdom sin-beguiled,
Sated power's tyrannic mood,
Counsels shared with men of blood;
Sad success, parental tears,
And a dreary weight of years.
Strange that guileless face and form
To lavish on the scarring storm!"

When we turn to the Greeks, it is in their philosophers more than in their poets that we see how great a power in their life was friendship, how large and preëminent was the place that it held. Why was this? I shall here condense the answer that the German scholar Curtius gives to this question. "In every age," he says, "the native selfishness of man has been the great power against which moralists, philosophers, and teachers have had to contend." What shall counterwork, subdue, change this evil principle? Law and self-control may restrain it outwardly, but cannot eradicate or dispossess it from within. What then could do it? Nothing but the inspiration of a new affection. Greek religion could not supply this, for it exhausted itself in external performances, and could not create affection. It knew nothing of the love of God to man, and therefore could not awake in man an inward love to God. Domestic love could not do it, for marriage was rather a duty which a man as citizen owed to the state than an affair of the heart. Except in rare instances, woman was too subordinate, too inferior, to be a helpmate or a friend of man. Exceptions there may have been, as we may gather from Homer's conception of Andromache:

"Father to me thou art, and mother dear,
And brother too, kind husband of my heart."

But such cases were too rare to be taken into account. Finding the motive power that man needed neither in religion nor in the domestic ties, as these existed in Greece, Socrates, Plato, and Aristotle turned to friendship in its largest sense — affinity of soul, mutual sympathy between man and man, and found in it the elevating force they longed for, the prime motive power of moral life. They saw in it the germ of whatever is divine in the heart of man, the spark that, if fostered and fed, transfigured his whole being. When guided by self-control to the highest good, and strengthened by communion with souls equally attuned, it lifted a man above everything sordid, and made him aspire toward heavenly virtues.

Affection of this kind was the highest moral power known to the Greeks, the central purifying fire in Greek ethics. It was the pillar of national life, a sacred institution which had mythic founders and venerable examples. It was to the Greeks not only an enjoyment, a pleasant ornament of life, it was a necessity for all higher souls, an essential element in their daily life, the antidote to selfishness and narrow-mindedness. It was the touchstone of Hellenic virtue while their greatness lasted. Alexander the Great felt this, and when he went forth to the East, to make Hellenic civilization the common possession of the world, he desired to renew in his own friendship with Hephæstion the pattern that heroic times had bequeathed in Achilles and Patroclus. Friendship so conceived, the most thoughtful of the Greeks regarded, not as a mere impulse, but as a divine inspiration, not to be rationalized or accounted for, either by like taking to like, or by the unlike fitting into each other. It was the real soul of ancient life, shedding a grace and a bloom over its clear-cut outlines. It supplied at once that tender devotion which religion has engendered, and that imaginative romance with which Christianity and chivalry have combined to invest womanhood.

In three of Plato's Decalogues — the Lysis, the Symposium, and the Phædrus — there are fine thoughts and sayings about human affection; but these struggle through such a cloud of parable, myth, and irony, that they are hard to grasp. You know not whether it is the personal affection of friend for friend that he is speaking of, or a passion of the reason, a kind of mystical contemplation of the beautiful and the good. This much, however, he seems to mean: that man cannot live in

isolation; that he needs a reconciler for his poor, distracted nature; that the reconciler is love, which is "a kind of divine madness"; and that the best love of this world is a hint and a prophecy of an ideal union not yet realized. But there are some things which make it difficult to dwell on Plato's views on these subjects.

There are, however, no such hindrances to the full understanding and enjoyment of Aristotle's two famous books on friendship, in his "Ethics." Over these two books how many who have cared little for the technical and dry discussions of the previous books have lingered delightedly. They found so much in them that appealed directly to their own experience. In these two books the great analytic philosopher, while he lays down what has been called the physiology and the pathology of human affection with his own inevitable good sense and directness, has yet done it with such warmth, there is such an underglow in his words, that one is quite sure he is speaking of what he has himself felt and seen. We see in these books the truth of that saying of the Oxford professor of Greek, that "under the marble exterior of Greek literature there is concealed a soul thrilling with emotion." How striking is that opening remark of Aristotle, which is the key-note of his whole treatise, that without friendship no one would choose to live, though he had all other goods which the world could offer; that friendship is a necessity of life. And here let it be said, once for all, that while we must use the word friendship,—for we have no other,—Aristotle means by his φιλία something much wider; he means that oneness of soul, that genuine heart-sympathy, which is necessary to all the finest forms of human relationship, whether that relationship is between members of the same family, or persons beyond the household but united by ties of blood, or those who have no other kinship than that of the heart. With what clear, decisive insight he discriminates between the different forms of so-called friendship, by pointing to the three great objects of human desire—the good, the pleasant, and the useful—and making these the test of the nature of the friendship. Friendships, so called, that are founded on utility, the desire for mutual advantage, are, he says, no true friendships, but disappear as soon as one friend can be no longer useful to the other. These forms of friendship belong only to mercenary persons. Their friendships, formed

on the desire for mutual pleasure, change as pleasures change. Such are often the friendships of children, who are quick to form and quick to drop them. Real friendship, he tells us, has for its object of desire the highest good of the person loved, and is founded on the earnest desire of this for your friend as well as for yourself. When two friends desire each the highest good of the other, and desire it only for the friend's sake, with no thought for themselves or their own advantage, this is the only stable, complete, and perfect friendship. To such friendships pleasure and advantage are sure to be added; but they come unsought, and are not that which is aimed at. Friendships of this kind are rare, and take time to grow. A friend of this kind loves his friend for his own sake; each has perfect faith in the other, cannot conceive that one would wrong the other under any circumstances. Some friends, Aristotle goes on to say, live together, see each other every day, and are continually doing mutual kind offices. Other friends are absent from each other; would do kind offices if they could, but are hindered by the separation. Yet absence does not sever friendship, only impedes the outward manifestation of it.

It is not possible to have this perfect friendship with many, for such friendship is a hyperbole, a sort of excess of feeling, a throwing away of all limits, a giving up, an abandonment of the whole self. Such friendship requires the two friends to have much experience of each other and close intimacy, which are hard to obtain. One is almost startled to find the cool Greek philosopher using language like this.

Aristotle also discusses what he calls friendships of inequality, as between older and younger persons, between father and son, between persons of different ranks, and lays down with perfect justice the conditions of such friendship. On the whole, he concludes that the essence of friendship consists rather in loving than in being loved, in giving rather than in receiving affection. Yet most persons, he says, prefer to be loved rather than to love, because to be loved, he cynically adds, flatters their vanity. This active spirit of love is at once the essence and the virtue of friendship; and when two persons have this, they are perfect friends.

On the causes that make men need, desire, and delight in friends, Aristotle has some keen-sighted thoughts. More than once he calls a friend our second self, just as Pythagoras had

defined a friend the half of one's soul, and as the Greek proverb has said, "Friendship is one soul in two bodies." If this is so, a man can hardly be deemed happy who is doomed to be solitary, or to live only with strangers or chance people. In such circumstances a man's heart is pent up, confined; and this is not only a pain, but an actual lowering of life within him. But the presence and intercourse of friends enlarges and expands our sense of existence, and quickens that vivid energy and glow of mind which is the highest happiness. The quick consciousness we have of a friend's existence, by means of intercourse with him, is an enlargement of our own consciousness, of the sense of our own existence. Thus the love of friendship arises out of the love of life, and is indeed another form of it. As a man feels toward himself, so he feels toward his friend; and as the consciousness of his own existence is to each man a choice-worthy thing, so is the consciousness of the existence of his friend.

The intercourse with friends gives vividness to the pursuits of life, and intercourse with the good strengthens and increases the good that is in each man. The same thought is expressed by a great writer of our own time, in a more subdued and pensive tone:

"We gain much for a time by fellowship with each other. It is a relief to us, as fresh air to the fainting, or meat and drink to the hungry, or a flood of tears to the heavy in mind. It is a soothing comfort to have those whom we may make our confidants; a comfort to have those to whom we may confess our faults; a comfort to have those to whom we may look for sympathy. Love of home, and family, and friends, in these and other ways, is sufficient to make this life tolerable to the multitude of men, which otherwise it would not be. But," he adds characteristically, and in another vein from Aristotle, —"but still, after all, our affections exceed such exercise of them, and demand what is more stable."

Modern literature has nothing to show that for breadth of view and intensity of feeling can compare with Aristotle's treatise on Friendship, or even with Cicero's Dialogue *De Amicitia*. It has been remarked how pale and cold beside these is Bacon's essay on Friendship. The earliest legends of Greece abound with noble companionships. Theseus and Pirithous, Pylades and Orestes, Damon and Pythias, were to them, and have ever since been, famous and familiar as household words. And yet this affection has not embodied itself in Greek poetry so frequently as might have been expected.

The most famous example in the poetry of the Greeks is that in which the whole story of the Iliad culminates. The friendship of Achilles and Patroclus, begun in childhood in the halls of Peleus, maintained through manhood and proven in battle under the walls of Troy, is only fully realized when Patroclus falls. I need not dwell on the well-known incidents. The Achæans are driven in disorder to their ships; Patroclus beseeches Achilles to allow him to go with the myrmidons to their aid; three times he assails the walls of Troy in vain, and in the fourth assault falls beneath the arm of Hector. Archilochus bears the tidings to Achilles in his tent in these words. I quote from the excellent translation of the Iliad by my friend Mr. Cordery:

> "Woe 's me, great son of Peleus,— very sad
> The news I bear thee, would it had not been!
> Fallen lies Patroclus, round his naked corse
> They battle now; and Hector hath the arms.
> He spake, and a black cloud of grief enwrapped
> The other, who in either palm upheaved
> Ashes, and showered them o'er his head, and fouled
> His comely face, and the dark embers clung
> About his fragrant robe. And down he threw
> Himself, outstretching all his length on earth,
> And tearing with his hands defiled his hair."

Then follows the interview with his mother, Thetis, her obtaining armor from Hephaistus for her son, the cleansing of the dead body of Patroclus, and the swathing it in fine linen, and laying it out ready for the funeral pyre. Then Achilles goes forth to wreak vengeance on the Trojans for the death of his friend, lays hands on twelve fairest youths of Troy, to make of them an offering at the tomb of Patroclus, meets with Hector and vanquishes him, exults over him savagely, and savagely drops the corse at his chariot-wheels, in sight of all the city. In pathetic contrast with the ferocity of vengeful Achilles is the tenderness with which Priam, Hecuba, and Andromache wail for their fallen one.

That night, when Achilles had retired to sleep beside the sounding sea, the spirit of Patroclus prevailed in the strength of friendship to burst the barriers of Hades, and stood by his sleeping friend:

"Sleep'st thou, Achilles, and art thus of me
Forgetful? Whom in life thou ne'er didst fail
Him now thou fail'st in death. But hear my prayer:
Bury me now with speed, that I may pass
The gates of Hades, where the other shades,
The ghosts and phantoms of the feeble dead,
Repel me still, nor suffer me to join
Their shadowy throng beyond the ocean-stream;
So through death's open hall I flit forlorn.
Give me thy hand, I pray thee, and farewell,
A last farewell; for when ye have bestowed
My pyre, I may not come from Hades more.

. . . . . .

But let one urn now hold thy bones and mine,
The golden urn thy heavenly mother gave."

To whom the fleet Achilles made reply:

"What need, mine own beloved, thus to come
And charge me, word by word? Fear not; whate'er
Thou biddest, to the utmost I fulfill.
But near, more near! Come, let us cast our arms
Around each other for a while once more,
And satisfy our souls with wail and woe."

Then follows the burning of the body on the funeral pyre, with all the savage rites — the slaughtered sheep and oxen, the jars of honey and wine, the nine steeds, two favorite dogs, and above all, those twelve fair sons of Troy, slaughtered and consumed in the funeral fire; and then the trailing of Hector's body again and again round the cavin piled over the dust of Patroclus. But amid these ferocities, still there is one tender touch. Achilles cuts off the best locks of his own hair, and places them in the hand of the dead Patroclus, as he lies ready to be consumed. So true is it, as Professor Campbell well says, that in these old heroic times "savage vindictiveness and the most tender affectionateness are found side by side both in heroes and heroines alike, and produce some of the most moving contrasts. But the tenderness is not less deep and real for the co-existence with it of untamed ferocity."

To pass now to Pindar. In the tenth Nemean Ode, he in this wise tells the story of Castor and Polydeuces, and of their love, faithful even unto death. They two,

"Now changing climes alternately, dwell one day with their father Zeus, and the next in the secret places under the earth, within the valleys of

Therapuai, fulfilling equal fate; because in this wise chose Polydeuces to live his life, rather than to be altogether god, and to abide continually in heaven, when that Castor had fallen in the fight."

Then Pindar describes the combat, and how Polydeuces slew the two brothers who had been the slayers of Castor:

"Then quickly came back the son of Tyndareus to his great brother, and found him not quite dead, but the death-gasp rattled in his throat. Then Polydeuces wept hot tears and groaned, and lifted up his voice, and cried, 'Father Zeus, ah! what shall make an end of woes? Bid me also, O King, to die with him. The glory is departed from a man bereaved of friend. Few are they who, in the day of trouble, are faithful in companionship of toil.' Thus said he, and Zeus came and stood before his face, and spake these words: 'Thou art my son; but thy brother was sprung from a mortal sire. But, nevertheless, behold, I give thee choice of these two lots: if, shunning death and hateful old age, thou desirest for thyself to dwell in Olympus with Athene and with Ceres of the shadowing spear, this lot is thine to take; but if in thy brother's cause thou art so fervent, and art resolved in all to have equal share with him, then half the time thou shalt be alive beneath the earth, and half in the golden house of heaven.' Thus spake his father, nor did Polydeuces doubt which counsel he should choose. So Zeus unsealed the eye, and presently the tongue also, of Castor of the brazen mail."

The tragedians contain no representation of friendship to compare with the Homeric Patroclus. But there is something of it in a play of Sophocles, and might have been more. In his "Electra" the two friends, Orestes and Pylades, return to Argos, after years of absence, to avenge the death of Agamemnon; but Pylades is a silent personage, and nothing is made of his friendship with Orestes. Orestes and Electra, however, are there represented, as they were in sculpture, in the attitude of friendship rather than as brother and sister.

But the opportunity that Sophocles had missed of depicting a famous friendship, Euripides seized and turned to good account in his "Iphigenia in Tauris." The scene of the drama is laid in the Tauric Chersonese, and the spot has been identified with the now historic Balaclava. There of old stood a temple of Artemis, and there human sacrifices were offered on her altar. To this remote and savage region Iphigenia, rescued by Artemis from the murderous hands of her father at Aulis, had been miraculously conveyed through the air, and appointed by the goddess to be the priestess of her horrid rites. One night Iphigenia has a dream that convinces her that her brother Orestes

is dead, and she comes forth with a retinue to carry funeral libations, and to pour forth a wail to him, as to a spirit in Hades. At this moment news is brought to Iphigenia that two strangers from Greece have landed on the coast, have been captured, and will straightway be brought to the temple, that she may sacrifice them at the altar of Artemis. The captives appear before Iphigenia in chains, and then ensues a scene full of dramatic interest. Iphigenia asks, "Are ye two brothers of one mother born?" And Orestes answers, "Brothers we are in love though not in blood." Finding them to be Greeks, Iphigenia elicits from them the whole story of the fall of Troy, the return of Menelaus and Helen, the murder of her father Agamemnon, and the vengeance taken on Clytemnestra by her son Orestes, who is still alive. The thought occurs to Iphigenia that she may employ one of these strangers to bear a letter to Orestes at Argos, to acquaint him with her situation. Then follows a contest between the two friends, each desiring to resign himself to death that the other may be spared. Orestes strongly urges Pylades to accept the office of messenger, on the ground that he (Pylades) had already married Electra, sister of Orestes, and would maintain the lineage and honor of the house; while he (Orestes), outworn with misery and hunted by the Furies, had nothing to live for and had better die. Pylades objects:

> "'Twere base that I should live, and thou shouldst die;
> Thy comrade as I sailed, so, if need be,
> Thy comrade I shall die; for I should win
> A coward's name in Argos, well deserved,
> And in the land of Phocis many-delled.
> For many, with their evil thoughts, will deem
> That I betrayed thee for my own escape,
> Or even have slain thee, when thy house was weak,
> To gain thy kingdom for myself, and dower
> My wife, thy sister, with thy royal wealth.
> These things I dread, and hold in shame and scorn;
> Therefore with thee I needs must breathe my last,
> With thee be slain, my body burnt with thine,
> A blameless friend, and faithful to the end."

Orestes replies that it is good for him to die, but not for Pylades, for

> "Happy art thou and hast a happy home;
> Mine is abhorred, impious, unblest.
>
> . . . . .

Then fare thee well, for I have found thee ever
The dearest of my friends, thou who hast been
My fellow-huntsman and my constant mate,
Bearing with me the burden of my woes."

Pylades, at length prevailed on, receives from Iphigenia first the letter, and then its contents verbally, in case he should be shipwrecked and lose the letter. As she communicates the contents she discovers that it is Orestes himself who stands before her, and whom she is on the point of sacrificing. Then an escape is planned between the three, which, after many chances and vicissitudes, is at last safely accomplished by the intervention of Athene, who often for Euripides intervenes at the critical moment. Only a small part of the touching scene is here given, but it is enough to show that Euripides, like Pindar, felt that "greater love hath no man than this, that a man lay down his life for his friend."

Had not the lyric poetry of Greece — all, save part of Pindar's — perished, there would, no doubt, have come down to us frequent memorials of the love of friends. In the later idyllic poetry there is a well-known lament, that of Moschus for the untimely death of his brother-poet, Bion, who flourished about 280 B. C. It is one of the earliest instances of a strain that has been often since repeated, wherein nature is called upon to join in sorrow for one of the sweetest of her sons:

Ye nightingales that lament among the thick leaves of the trees,
Tell ye to the Sicilian waters of Arethusa
The tidings that Bion the herdsman is dead, and that with him
Song too has died, and perished hath the Dorian minstrelsy.
Begin, ye Sicilian muses, begin the wail.

Every famous city laments thee, Bion.
Ascra laments thee far more than her Hesiod,
And Pindar is less regretted by the forests of Bœotia.
Not so much did pleasant Lesbos mourn for Alcæus,
Nor did the Teian town so much bewail her poet;
While for thee more than for Archilochus doth Paros yearn,
And not for Sappho, but for thee, doth Mytilene wail her musical lament.
Begin, ye Sicilian muses, begin the wail.

Ah me, when the mallous wither in the garden,
And the green parsley, and the curlèd tendrils of the anise,
Another day they live again, and grow in another year;

But we men, we, the great, and mighty, or wise,
When once we have died, gone down to silence, in the hollow earth,
We sleep a very long and endless and unawakening sleep.

So we see what has been the experience of men in every time; that only when friends are removed forever from our sight, do we fully appreciate what they were, and what they have been to us.

When the light of literature first dawns upon Rome, we find friendship as highly esteemed by her sons as ever it was among the Greeks. Those we speak of are, of course, the Romans of the last century of the Republic, whose minds were steeped in the literature of Greece, and their sentiments molded by Hellenic influence. What part friendship played in the pre-Hellenic ages of Rome, before Greece had changed the stern old Roman character, it is not easy to say. But how deeply the habit of friendship had imbued the Roman mind by the time of Cicero, and even before it, is well illustrated both by his writings and his life. His beautiful treatise, *De Amicitia*, has no parallel in our literature. In it he depicts the friendship that existed, a century before the time when he wrote, between Lælius and Scipio Africanus the younger, the destroyer of Carthage, B. C. 147, and of Numantia, B. C. 133. At the close of that treatise Lælius, who was chief spokesman, says: "For my part, of all the advantages that either nature or fortune has bestowed upon me, there is none that can compare with that of having had Scipio for my friend." It may be noted, as a proof how far literature and cultivation had subdued the old Roman prejudices, that into the society of Scipio and Lælius, Tereus, born an African slave, was admitted on equal terms as the companion and friend of these two nobles. As for Cicero, his sentiments in the *De Amicitia* are not merely fine sayings, they are the transcript of his own experience. Statesmen, like kings, are often without a friend; but there is nothing in the lives of modern politicians like the firm and lasting friendship of Cicero and Atticus. Well may Mr. Forsyth, in his "Life of Cicero," remark: "In the whole history of literature I know no case where friend has communicated with friend for a long series of years, nay, for a whole life-time, on terms of such absolute confidence as these two distinguished men."

There was another historic friendship of the same age, not less close and intimate, though no written records of it remain.

But the intimacy of Brutus and Cassius was described by Plutarch, and Shakspere, with his usual insight into the social life of the time, has vividly reproduced it in his "Julius Cæsar." The strength and nobility of Brutus's friendship for Cassius is shown by the way in which what was well-nigh a deadly quarrel is turned to beautiful reconcilement.

There is a poet, a contemporary and friend of Cicero, who felt warmly and expressed most spontaneously and naturally what he felt toward his friends. In the gay and careless Catullus, one of the chief charms was the truth and warmth of his affections. "Many poets have sung the praises of love; few, if any, have left so pleasant a record of their intercourse with their friends. Whether in his gayest hours, or his deepest sorrow, it was to these he turned for sympathy. He felt for them in their griefs and disappointments, and rejoiced with them in their joy. He appreciated their successes in literature without a shade of envy, as in his dedication of his poems to Cornelius Nepos, the historian, and in the light-hearted congratulations he addressed to Cicero on the renown of his oratory." Of the hearty and natural way in which he felt toward his friends, his lines to Verranius, on his return from long absence in Spain, is a good example. I give it in the translation of Sir Theodore Martin:

"Dearest of all, Verranius! O my friend!
Hast thou come back from thy long pilgrimage,
With brothers twin in soul thy days to spend,
And by thy hearth-fire cheer thy mother's age?

"And art thou truly come? O welcome news!
And I shall see thee safe, and hear once more
The tales of Spain, its tribes, its feats, its views,
Flow as of old from thy exhaustless store.

"And I shall gaze into thine eyes again!
And I again shall fold thee to my breast!
O you, who deem yourselves most blest of men,
Which of you all like unto me is blest?"

If the warmth of Catullus's heart is seen in such outbursts as these, it appears not less in the bitterness with which he felt any unkindness or estrangement; and ancient poetry has no more natural and heart-felt elegy than his lament over the untimely death of his brother Hortalus, toward whom he felt not only as a brother, but as a bosom friend.

When we come to the succeeding and more highly wrought age of Roman poetry, Virgil we find very reserved in expressing his own personal feelings. In fact, it is only indirectly that he refers to himself or his friends at all. In the tenth eclogue, however, when he sings of his early companion and fellow-student, Gallus, and the love of Gallus for Lycōsis, under the usual pastoral and Arcadian guise that seems to us so artificial, there are two lines in which Virgil's own native feeling reveals itself:

> "Gallus,
> For whom my love grows every hour as fast
> As the young alder grows in early spring."

In the Æneid there are several persons and situations that might be dwelt on. If "Fidus Achates" is too colorless a personage, or if Pallas and Lausus are too faintly limned to detain us, the story of Nisus and Euryalus, the delight of every boyhood, stands the test of aged criticism, so attractive is the conjunction of the prowess of mature manhood and the first fresh bloom of the warrior-boy.

> "Nisus was guardian of the gate,
> No bolder heart in war's debate.
> . . . . .
> With him, Euryalus, fair boy;
> None fairer donned the arms of Troy;
> His tender cheek as yet unshorn,
> And blossoming with youth new-born.
> Love made them one in every thought;
> In battle side by side they fought;
> And now in duty at the gate
> The twain in common station wait."

When the hour of trial comes, forth they go, brothers in arms as in affection, the manly warrior and the gallant boy, one in the beauty of their companionship and in the pathos of their fall.

As to Nisus:

> "In vain he spake; the sword, fierce driven,
> That alabaster breast had riven;
> Down falls Euryalus, and lies
> In death's enthralling agonies;
> Blood trickled o'er his limbs of snow;
> His head sinks gradually low.
> Thus severed by the ruthless plough,
> Dim fades a purple flower;
> Their weary necks no poppies bow
> Beneath the thunder shower."

"Then Nisus on the midmost flies,
With Volsceus, Volsceus, in his eyes,"

"Then, pierced to death, asleep he fell
On the dead breast he loved so well.
Blest pair! if aught my verse avail,
No day shall make your memory fail
From off the heart of time,
While Capitol abides in place,
The mansion of the Æneian race,
And throned upon that moveless base
Rome's father sits sublime."

If Virgil does not often enlarge on friendship himself, he seems to have awakened very lively feelings of friendship in others. Horace is never more gentle, he even becomes tender, whenever he speaks of him. The very mention of Virgil seems to call out in Horace his best sense of purity and unworldliness. When Virgil accompanied him on the celebrated journey to Branduscium, this is the way he speaks of him:

"At Sinuessa we with Plotius meet
Varius and Virgil; men than whom on earth
I know none dearer, none of whiter soul."

While Virgil was as yet known only as the writer of the Eclogues, Horace says of him:

"The muse that loves the woodland and the farm,
To Virgil lends her gayest, tenderest charm."

Again, when Virgil was about to sail for Attica, some say in search of health, Horace addressed in a well-known ode the ship that was to bear him thither:

"To thee, O ship, we commit Virgil. Deliver him safe on the shores of Attica, and preserve him whom I love as my life; and may the skies and winds prosper thee."

He calls Virgil the half of his soul, or, as the late Professor Conington rendered the passage:

"So do thou, fair ship, that ow'st
Virgil thy precious freight; to Attic coast
Safe restore thy loan and whole,
And give me back the partner of my soul!"

Horace has one more mention of Virgil, which cannot be omitted. In his ode lamenting the death of their common friend Quintilius, he says:

"And sleeps he, then, the heavy sleep of death,
Quintilius?—Piety, twin-sister dear
Of Justice! naked Truth! unsullied Faith!
When will ye find his peer?
By many a good man wept; Quintilius dies;
By none than you, my Virgil, trulier wept."

This tone of tenderness toward Virgil is the more remarkable because Horace was, if not peculiarly a worldly man, yet every way a man of the world. He delighted in what is called "good society," liked to be familiar with the great, and speaks and writes in the most familiar terms about all the most distinguished men of his time—the old aristocracy; the statesmen, like Mecenas and Agrippa; the poets Varius, Virgil, Pollio, and Tibullus. Besides these, he has friendliness to spare for obscurer men; but his friendships, though genuine, are never absorbing; there is in them nothing of that hyperbole which Aristotle speaks of. He is always self-contained, and never becomes so attached to one friend as Cicero was to Atticus. It was friendship within measure, according to the rules of common sense, never reaching to ardor or devotion.

Many more of the odes are dedicated to his several friends, and it is noticeable how the tone varies with the disposition of each one who is addressed. Thus, he invites Septimius to be his companion when he would retire to live among the happy hills that surround Tarentum, with their honey, their olives, their grapes, their mild winters and long springs. "On that spot," he says, "we will live together, and there thou wilt lay my bones and drop over them the tear of affection."

In the next ode he addresses his friend Pompeius, who had been his comrade alike in battle and in banqueting:

"O oft with me in troublous time
Involved, when Brutus warred in Greece,
Who gives you back to your own clime,
And your own gods, a man of peace,
Pompey! the earliest friend I knew,
With whom I oft cut short the hours
With wine, my hair bright bathed in dew
Of Syrian oils, and wreathed with flowers?
With you I shared Philippi's rout,
Unseemly parted from my shield,
When Valor fell, and warriors stout
Were tumbled in the inglorious field."

But, however warm may have been the affection that the poets cherished toward their friends, however beautiful their expression of it, we find in them no hint of any hope that the intercourse so prized here may be renewed hereafter. Often, indeed, there is the distinct confession, when death comes, that the separation is forever. Such we saw was the refrain of the lament for Bion; such, too, was the feeling that Catullus expressed in his elegy for his brother. I can recall but one passage in Roman literature where, in bidding farewell to a departed soul, the mourner hints any hope for the future. It is the well-known passage with which Tacitus concludes his life of Agricola, a passage which, though in prose, breathes all the elevated thought and beautiful melody of high poetry: "If there is a home for the shades of the good, if, as wise men believe, great souls do not perish with the body, mayest thou rest in peace!" But even if no hope for the future was vouchsafed to those men of old time, yet if they really esteemed true and pure friendship to be the best thing that this world had to offer them, and gave their hearts faithfully and unselfishly to their friends, shall we not think that they chose the better part, and were by that choice prepared for whatever may yet be in store for the affectionate and the true?

J. C. Shairp.

HERBERT SPENCER'S LATEST CRITIC.

An article appeared in the North American Review for June of last year, written by Professor Isaac L. Rice, and entitled "Herbert Spencer's Facts and Inferences." It purported to be a review of that author's work in the domain of social science, and its avowed object was so to present the subject "that the reader may be enabled to form an opinion concerning the trustworthiness of Mr. Spencer's data and the value of his inductions; and to judge whether the social theories based largely on these data and inductions on the one hand, and on dogmatic assertions on other, are or are not tainted with fallacies." Mr. Rice then proceeds to the somewhat ambitious task of destroying Mr. Spencer's reputation as a thinker by showing that neither in his facts, nor in his inferences from them, is he entitled to the confidence of his readers.

We read the article at the time of its publication with some surprise at its assurance, but with an impression that its obviously bad spirit would so far put readers on their guard against its arraignments as to make any formal reply to it superfluous. But we have since been repeatedly reminded that the appearance of such accusations, however really groundless they may be, in the pages of the North American Review, makes necessary an answer; because, if uncontradicted, it will be generally assumed that they are incapable of contradiction. Yielding to this view, we now propose to examine the article of Mr. Rice and to exemplify to the readers of the Review his qualifications as a critic of Mr. Spencer.

The object of Mr. Rice's article is to discredit the work of that author as, in both its facts and its inferences, unworthy of trust, and he begins by saying that two methods of criticism are open to him. First: "I may attempt to cover the whole of the vast field which he traverses and confine myself to general state-

ments more or less vague"; the implication being that if he follows this method he will find abundant proofs of sophistry, dogmatism, and facts and inferences that cannot be trusted. But another method is also open to him, and, "preferring to be precise," he will adopt it and "restrict himself to special points." We certainly commend the method adopted.

Mr. Rice's first "point" is somewhat sweeping in its consequences, being nothing less than to impeach Mr. Spencer's capacity to understand the books he quotes. He says, "It is important to note, at the outset, that he does not always correctly apprehend the authors to whom he refers." This goes to the root of the matter; because, if Mr. Rice can substantiate this charge, "at the outset," it will be quite needless for him to proceed further. If incompetent to apprehend the authorities he cites, Spencer's works must of course be worthless.

The issue is made up on the interpretation of Plato. Mr. Rice calls in question Mr. Spencer's statement respecting the comparison Plato makes between reason, will, and passion, in an individual, and counsellors, military or executive, and the commonalty, as parts of a society; saying that this analogy is not stated as Plato states it. Now, that Mr. Rice should take a different view from Mr. Spencer of what Plato means is not altogether surprising; since, out of the confused and incoherent statements in the "Republic," meanings considerably different may be drawn, according as one or other passage is taken, or according as one or other meaning is given to a word. But that Mr. Spencer's interpretation of Plato's view is a quite justifiable one is proved by the fact that this is the view taken by the translator of the "Republic," in Bohn's Classical Library — a standard authority. In his general introduction, pp. 19–23, Mr. Davis, the translator, says:

"The Republic of Plato is a development of the analogy between the ideas of the perfect man and the perfect State. * * He opens the inquiry with a kind of analysis of the human mind, which he divides into three parts, — first, the rational or reasoning principle (τό λογιστικόν); secondly, the spirit or will (τό Ιυμίκὸν or Ιυμοειδές); and thirdly, the appetite or passion (τὸ ἐπιθυμητικόν); which last, however, indicates nothing beyond that vital impulse which leads from one sensation to another. * * * He then proceeds to classify the members or parts of his ideal Republics. These he classes under three heads or divisions, corresponding with the faculties of the soul,—viz., 1. The βουλευτικόν (counsellors), those who employ reason in the

contemplation of what best suits the State; 2. The ἐπικουρικόν, those who aid the βουλευταί with a ready will; 3. The Χρηματιστικόν, who are bent on gain and selfish gratification."

And Mr. Davis quotes from Ritter, in verification of this interpretation, the passage:

"There should be one part to correspond with the reason, to whom the sovereignty is to be committed; a second, answering to spirit, is to assist the sovereign; and lastly, a third part is made parallel to the appetite and intended to supply the bodily wants of the community. These are the three social classes — the ruler, the warrior, and the craftsman" (p. xxiii.)

These passages from two good authorities abundantly warrant Mr. Spencer's statement; the only difference being, that whereas Ritter does not give "will" as a synonym of "spirit," the English translator does so in two places.

But Mr. Rice goes further, and states without any justification that Mr. Spencer misrepresents Plato; namely, in respect of the Platonic view of the authority for right and wrong. Mr. Rice says that in the "Data of Ethics" Mr. Spencer "puts into the mouth of the philosopher, whose great aim is to teach the absolute being of Truth and Justice, the monstrous statement that 'State enactments' are the sources of right and wrong! Words to this effect," he continues, "may indeed be found in the 'Republic,' but they are uttered by Thrasymachus the sophist, and then exposed in all their bareness, and castigated by the unpitying irony of Socrates the philosopher." Now, one who turns to the dialogue will find that the misapprehension is not on the part of Mr. Spencer, but on the part of Mr. Rice. The dispute between Socrates and Thrasymachus (see p. 15 of the translation above named) is whether the "just is something that is expedient" simply, or whether it is that which is expedient to "the more powerful;" and that the disputants do not differ with regard to the authority of the State is shown by a passage on the next page, in which Socrates commences by asking:

"Tell me, do you not say that it is just to obey governors? Yes, I do. Are the governors in the several States infallible, or are they capable of erring? Certainly, said he, they are liable to err. When they set about making laws, then, do they not make some of them right, and some of them wrong? I think so. To make them right, then, is to make them expedient for

themselves; and to make them not right (that is), inexpedient; or how mean you? Just so. And what they enact is to be observed by the governed; and this is what is just? Of course. According to your reasoning, then, it is just to do what is expedient to the stronger, while the contrary is what is not expedient; what say you? Replied he, I am of the same opinion as yourself."

And that Mr. Spencer is not singular in his interpretation of Plato's view of this matter is shown by the fact that the like view is taken by Professor Bain, in his "Mental and Moral Science," a text-book used both in American colleges and English universities. On page 472 (first edition) Dr. Bain writes of Plato's ethics:

"The relation of ethics to politics is intimate, and even inseparable. The civil magistrate, as in Hobbs, supplies the ethical sanction. All virtue is an affair of the State, a political institution. This, however, is qualified by the demand for an ideal State, and an ideal governor, by whom alone anything like perfect virtue can be ascertained."

It thus appears that on the first "point" it is not Mr. Spencer, but Mr. Rice, that is discredited. His second has reference to music, and here we might expect he would do better, as he is himself a musician and the author of a book upon the subject. He charges that Mr. Spencer's account of the evolution of music contains absurd misstatements; one of them being with regard to the earliest forms of music. That Mr. Rice should have proposed to instruct Mr. Spencer with respect to the habits of savages is somewhat amusing when we consider that Mr. Spencer has been studying that subject for forty years, and has had collected and tabulated the accounts of some eighty uncivilized races in all parts of the world, while the origin and development of musical art among these races was a distinctive object of the research. Mr. Rice, however, has the hardihood to attack Mr. Spencer on this side of his work, and, as might be expected, Mr. Rice comes to grief.

He quotes Mr. Spencer to the effect that, "as implied by the customs of still extant barbarous races, the first musical instruments were, without doubt, percussive,—sticks, calabashes, tom-toms,— and were used simply to mark the time of the dance." Mr. Rice ridicules this statement, referring to A. W. Ambros as his authority. Now, whether this German writer has examined the comprehensive evidence furnished by the whole of these

eighty races there is no proof; but the evidence when examined shows clearly enough that there are barbarous races that have not "horns, flutes, and stringed instruments" or any instruments beyond the percussive. And these races are the very lowest, as Mr. Spencer's argument alleges.

Of the Tasmanians Lloyd says ("Tasmania and Victoria," p. 60) that, "in their corrobaru they accompany a monotonous chant with beating on a kangaroo skin rolled up; also with beating on two sticks." So, too, of the Australians, whose women during the dances sing and keep time "by beating with sticks on their skin cloaks, done up into tight bundles" ("Travs. Eth. Soc.," New Ser., iii., p. 257). Another statement is that their music is of the simplest kind—striking on the ground, on another stick, on their skin cloaks rolled up, on a stretched skin. The dances of the Andamanese are performed "to the time of a song which is kept up by one man, the women clapping their hands loudly and joining in the chorus. The time is often beaten on what we call a dancing-board; that is, a hollow piece of hard wood, in the form of an ancient shield, which, being placed on the ground, with the hollow downward, is stamped by one of the party, who keeps it steady by placing the other foot on the pointed end" ("St. John, Travs. Eth. Soc.," New Ser., v., p. 46). And among the Damaras, we find interestingly shown the transition from the percussive instrument to the stringed. Says Galton (p. 192): "Their only musical instrument is their bow. They tie a piece of reim round the bow-string and the handle and bind them up tight together; then they hold the bow horizontally against their teeth, and strike the tense bow-string with a small stick. A good performer can produce great effect with it. They attend more to the rhythm than the notes, and imitate with its music the galloping or trotting of different animals to perfection." "A very poor idea of music exists among the Nagas, and it is never practiced except in dancing, where it serves to mark the time. A rude, monotonous song is chanted by the whole company, and eked out with the clapping of hands, both on the part of the dancers and spectators" ("Stewart, Jour. As. Soc. Bengal," xxiv., 615).

These facts not only verify Mr. Spencer's statement, but show even more clearly than he had done that the rhythm of music, marked at first by sounds that are unsonorous, like clapped hands and clashed sticks, is primary, and that progress

toward the sonorous is through blows on things that vibrate more sensibly than hands, or sticks, or bundles of skins.

Mr. Spencer, arguing that harmony did not grow out of melody by a single leap, pointed out that probably concerted music in general was developed from the fugue.

"The circumstance which prepared the way for it was the employment of two choirs singing alternately the same air. Afterward it became the practice (very possibly first suggested by a mistake) for the second choir to commence before the first had ceased; thus producing a fugue. With the simple airs then in use a partially harmonious fugue might not improbably thus result; and a very partially harmonious fugue satisfied the ears of that age, as we know from still preserved examples. The idea having once been given, the composing of airs productive of fugal harmony would naturally grow up, as in some way it did grow up out of this alternate choir singing. And from the fugue to concerted music of two, three, four, and more parts, the transition was easy." ("First Prin.," § 125.)

This Mr. Rice ridicules, saying: "It is as though we should say that the development of the isosceles triangle into a figure of three sides was not attended by difficulties"; the implication of this comparison appearing to be that the fugue began with several parts, for otherwise the declared absurdity does not exist. Now, any one who will turn to Grove's elaborate "Dictionary of Music," still in course of publication, and will read the article "Fugue," by Sir Frederick Gore Ousley, a doctor of music, and professor at Oxford, may, as he reads the earlier part of it, suppose that Mr. Rice's ridicule has some warrant; but he will find toward the close the following passage:

"In Morley's 'Plaine and Easie Introduction to Practicall Musicke,' published in 1597, p. 76, we find the following definition: 'We call that a fugue, when one part begineth and the other singith the same, for some number of notes (which the first did sing), as thus, for example,' (here follows a simple two-part fugue, in which the second voice commences a bar after the first). This we should nowadays call a specimen of simple imitation at the octave, in two parts; yet it is from such a germ as this that the sublime structure of the modern fugue has been gradually developed."

There is therefore definite evidence that the fugue, in its primitive form, had just that simple character which Mr. Spencer affirmed, in which the harmony arose from the repetitions of the same melody, one commenced a bar or more after the other, and that from this simple beginning, as he implies, involved harmo-

nies, fugal and other, grew up. It is obvious that in this matter Mr. Spencer knew what he was talking about, and equally manifest that Mr. Rice knows nothing about it.

Having sampled Mr. Rice's criticism of Mr. Spencer's "facts," let us turn to his criticism of Mr. Spencer's "inferences." Mr. Rice undertakes to reason upon the subject of evolution, and this is his modest position in regard to it. "Thus we have found that the much-quoted 'law of evolution' is no law whatever; that it is not even a tendency subordinate to the human will; nor indeed an induction; nor in any sense a scientific proposition; in short, that it is not the formulation of objective observation, but simply a subjective fancy." This is certainly a pretty large conclusion, but as Mr. Rice says "we have found" it to be true, it will be interesting to note in what way he has arrived at his opinion. The upshot of his reasoning seems to be that there is such a thing as dissolution, which is the opposite of evolution,—as if any evolutionist had ever questioned it. He argues, as many tyros have argued before, that evolution is a false theory because the transformations go both ways. He reasons that if there is a change from the homogeneous to the heterogeneous, there is also a change from the heterogeneous to the homogeneous. Mr. Rice here appeals to authority, saying "that social progress does not always take the form of a change from the homogeneous to the heterogeneous, has already been pointed out by Mr. Cliff Leslie ('Fortnightly Review,' Jan., 1879), who has shown that the movement of 'language, law, and political and civil unions is, for the most part, in an opposite direction.' Mr. Spencer attempts to diminish the force of this criticism by contending that what Mr. Leslie had in mind is a 'progressing unification,' a tendency toward greater coherence and not toward greater homogeneity. But I cannot consider his argument a valid one."

Now, here again we have excellent evidence that Mr. Rice but very imperfectly understands what he is writing about. He quotes an authority, Professor Leslie, a distinguished political economist and writer on social subjects, who had raised objections to Mr. Spencer's generalizations, to which Spencer himself had made reply, but which Mr. Rice regards as not a valid reply. But here comes an issue between Mr. Rice and the authority he appeals to. Professor Leslie, who made the objections, has explicitly retracted them and publicly acknowledged that Mr.

Spencer's reply to them *is* a valid one. Long before Mr. Rice had made use, for his purposes, of Leslie's criticism, Professor Leslie had openly repudiated it. Either Mr. Rice was ill-informed upon the subject, or he chose to quote an opinion disavowed by his own authority. Writing in the "London Academy" for October 23d, 1880, Professor Leslie remarks (p. 287):

> "To take another instance (of the close relation of economic science with other branches of sociology), the movement of society designated by Mr. Herbert Spencer as 'from the homogeneous to the heterogeneous,' is highly important in its economical aspects, and the present writer acknowledges that Mr. Spencer's recent reply to some comments of his own on the doctrine so formulated is, in the main, substantially just and sufficient."—(Appendix to "First Principles" dealing with criticisms.)

This deliberate and public acknowledgment of Professor Leslie that he was wrong, is not only an example of rare and admirable candor, but is weighty evidence of the truth of Mr. Spencer's generalization; and, what is of less importance, convicts Mr. Rice either of misrepresenting or of misapprehending "the authors to whom he refers." It will hardly be needful to pursue his review further, as its quality is now sufficiently apparent. There is a good deal of this sort of "crushing" of Herbert Spencer by aspiring literary adventurers which is not worth serious refutation; and the best rule that can be given for judging of such efforts is to ask what the writer has ever done to vindicate his claim to be heard, when he proposes to undermine and overthrow the careful and life-long work of a thinker who has made a profound and lasting impression upon the mind of his age.

E. L. YOUMANS.

OVER-ILLUSTRATION.

THE pictorial embellishment of books is by no means a modern device. The first attempts at the preservation of thoughts, of facts, and of events, or at the perpetuation and enforcement of religious opinions, were symbolical, or literally figurative. Illustration began upon the walls of temples or of tombs, and, without the adjunct of a typographical text, spoke to future generations of the great unprinted book of human life. Those who, with much painstaking, resorted to drawing, had a double purpose. There was the immediate gratification of the eye, but there was also that indefinable desire to be remembered, and to be known even to the end of time, which of all animals, so far as we know, man alone possesses. Painting and drawing supplemented architecture and sculpture. All faith seeks an outward and formal expression, and all mythologies tend to a material exposition. This is often employed long after its original significance has passed into oblivion, and modern Christianity sometimes uses types that had their origin in Egypt and in India centuries before the monotheistic idea was developed by the patriarchs and prophets. To most these types are esoteric, and have hardly the suggestion even of an exoteric meaning; and it is not improbable that we are now employing some symbols of our own device which in the far-off future will be entirely unintelligible. As the world becomes more and more venerable, we may be Egytians or Assyrians to our distant successors.

Picture illustration belongs to the infancy of modern literature. The block-books were first without text, or the text was on the same page with the picture. Generally there was no lettering except such as sufficed for an explanation of the subject. The block-books, combining text and illustration, naturally followed. Here, too, the pictures were the important and prominent

part of the book. Many of them were such books as were made for children in the last century. The prints were unideal, rude, and incongruous, but after a fashion they told the story. Almost all of them were religious. Many of them were simply childish, although they were intended, undoubtedly, for adults. Sometimes the print was on a single sheet. It is thought that these books were originally designed as suggestions of subjects to the ignorant clergy, but they were soon found in the hands of the people. As the text, when there was any, was always in Latin, it was of no value to them. The story was told by the picture. These books were of no use to men of letters, and occupied something like the position of the dime novel, or the lower class of illustrated newspapers, of the present day. Sometimes the pictures were printed and the text written. After the block-books were given up, these pictures were frequently used for ornamenting typographic work. This combination of letter-press and pictures, coeval with the discovery of printing, though passing through many fluctuations of public taste, has never been entirely abandoned. The Bible, and books of travel, poetry, and romance, were continually and profusely illustrated. Small volumes of limited cost had copper frontispieces and title-pages. The Lykens Bible, printed in the sixteenth century, had almost as many pictures as Doré's. No chap-book was so poor and rude as not to have one or two prints, however inartistic. Prayer-books for the people were almost always thus illustrated, if not enriched. Certain wood-engravings, having become popular, were used year after year, until they were incapable of any further service. The pictorial adornment of all important English books during the sixteenth and seventeenth centuries was upon a careful and liberal if not an extensive scale, the coppers being often on the same page with the text. Cave's "Lives of the Apostles" (1676) has, besides a full-page copper frontispiece, a folding copper of two pages, with twenty-eight smaller copies printed upon the page. If a poem like "Hudibras" was to be reprinted, an artist like Hogarth was employed to illustrate it. Very rich authors could print as sumptuously as they pleased. A copy (two volumes, 1729) of the works of Sheffield, Duke of Buckingham, has a noble folding portrait of that author, engraved by Vertue after Kneller, another large plate of the poet's monument, engraved by Foudrinier, and twenty smaller coppers (including initial letters) worked on the printed

page, unsigned, but probably also by Foudrinier. To come down to modern times, "The Hermit of Warkworth," by Bishop Percy (1771), a mere pamphlet of fifty-two pages, has a beautiful copper by Taylor, printed on the title-page, and the lettering tells us that this was executed through the liberality of the Duke of Northumberland. A "Dissertation on Oriental Gardening," by Sir William Chambers (1772), a pamphlet of ninety-two pages, has a fine copper on the title-page designed by Cipriani, and engraved by F. Bartolozzi, with two smaller prints by that engraver; and the whole dedication to the King is engraved on copper — "very pretty prints," as the author calls them in a letter to Voltaire, while deprecating "the nonsense" of his own writing. We have given these as minor examples of the illustrations of the last century. The English books of that period were sufficiently elegant without carrying pictorial effort too far for good taste and human patience.

It is a noteworthy fact that the first step in the direction of a more profuse illustration should have been backward in the direction of the "Bible for the Poor," and similar ancient productions — the first step, we mean, substantially. In the mere skill exhibited, of course the modern picture-books were infinitely superior, however different upon the point of realism. But in the latest as well as in the earliest time, there was the same concession to the limited intellectual capacity of readers. There could be no books fitted to catch the sixpences of the people without pictures. All the periodicals designed for the patronage of the cottage, of the farm-house, of the manufacturing towns, swarmed with prints. This was the sixteenth century over again. The apology was hardly candid. The real design was to sell the "Penny Magazine"; the pretense was to increase the sense of art among the lower classes. All the workmen were to become cognoscenti, and to be able to tell the difference between an Andrea del Sarto and a Caravaggio. The actual motive was to catch the eye of children of a larger growth. A tolerably well engraved wood-cut after the "Transfiguration" could give no idea of that work specially worth having; no more, in fact, than the most general notion of the composition of the picture. It was not of so much value to the illiterate reader as a description of the work in prose by Mr. Ruskin would be. Yet the Society that printed the "Penny Magazine" is entitled to the credit of a high and honorable aim; and it failed only through

the fallacy of supposing that the eye could be made to do the work of the mind, and that the uneducated, without regard to a hundred adverse conditions, would spring at once to an appreciation of what is greatest in art. The end was, that the device of illustration passed into the hands of those who better understood what such readers wanted, and who could furnish *ad libitum* the coarse, the striking, and the realistic.

The ornamentation of manuscript books in the middle ages, and before the invention of printing, was carried to great elegance and perfection. Although black was the color of ink usually preferred, on account of its greater legibility, texts were written sometimes in blue, purple, green, gold, and silver inks. For the border, pictures, and initials, the work was passed to the designer, and from his hands to those of the illuminator. Mr. De Vinne, in his "Invention of Printing," says: "The gravest truths were hedged in with the most childish conceits. Angels, butterflies, goblins, clowns, birds, snails, and monkeys, sometimes in artistic, much oftener in grotesque, and sometimes in highly offensive positions, are to be found in the illuminated borders of copies of the gospels and the writings of the fathers." This was mere ornamentation, and not illustration; but stories, sometimes from the Scriptures, were embossed upon the leathern covers. Books of love and song were manufactured in a specially dainty manner, for the use of ladies. Illustrations in miniature were produced, and the books were bound with corresponding elegance. Of such books it is hardly necessary to say the prices were often enormous. This style of book-making continued even to the seventeenth century, and for a long time printed books were looked upon as vulgar by fastidious collectors.

We cannot, of course, set aside practical values. There are certain departments of literature and of scientific learning in which an appeal to the eye appears to be necessary, or if not so absolutely, at least it is so convenient that it would be a waste of time and labor not to resort to it. This is true of mathematics, of mechanical demonstrations, of the physical sciences, of manuals of navigation, of maps and charts, and of topographical surveying generally. It is equally true of architecture, and of mensuration and proportion, as applied to machinery. The inventor must draw his plan upon paper before he can construct his working model. In the compilation of encyclopædias, drawings save space and secure accurate comprehension. It is draw-

ing that renders objective teaching on a general scale possible. In natural history, no possible verbal description of birds, of beasts, of reptiles, or of fishes could be either so rapid or so effective as a pictorial representation. In popular philological dictionaries, some engravings have been found useful; while in newspapers, in which space is really valuable, illustrated advertisements have been abandoned. The proprietors of such journals hardly want them at any price, nor would they often repay the advertiser for the large rates demanded. Prints are used, though sparingly, in the advertising supplements of the monthly magazines.

The ordinary purpose of an illustration is to explain, to elucidate, to render clear what is obscure or abstruse; and this is doubtless the secondary object of the pictorial embellishment of works of literary character. Used in this way, it differs from pictures designed to enhance the sumptuousness of a volume, and to increase its typographical elegance and bibliographical value, which now appears to be the primary intention. The writer of a book of travels may not have the faculty, by verbal description, of bringing to the mind of his readers the beauties of a landscape, even if he were sure of that reader's capacity or attention, and so the pictorial is the natural expedient. The glowing pages of Mr. Ruskin attest that a man of genius is not at the mercy of such resources. The more perfect the letter-press, the less it needs graphic aid, whatever may be thought of a purely suggested and ideal treatment of the text. A picture might be made from Shakespeare's description of the Cliff of Dover, but no picture could add to the sense that he awakens of its loftiness. The fishermen walking on the beach like mice, the tall bark diminished to a cock, and especially the surge murmuring so far down as to be inaudible, could not be put into a picture at all, nor would the choughs and crows or the samphire-gatherers tell much upon canvas; nothing of these but mere imitation, the lowest form of art, being available. Not Turner himself could have added anything from his palette to the exquisite opening of the Fifth Book of "Paradise Lost"— to the rosy steps of morn advancing, and sowing the earth with orient pearl; nor could there be any painting of the fuming rills and the shrill matin song of birds on every bough. How far can a wood-engraving, or an etching, or steel or copper reproduce a scene where all depends upon sound and color? These

considerations teach us the limits of art, and especially of art as employed in the manufacture of books, the proportions of which also negative any adequate suggestion of the wide, the spacious, or the sublime. Most illustration has the demerits of miniature painting without its merits. Small reproductions of the masters even can hardly do more than assist the memory of those who have been fortunate enough to see the great originals. The idea that we get from them is pinched and inadequate. How thoroughly mechanical and material illustration may become, may be understood by looking over that gigantic failure, Boydell's "Illustrations of Shakespeare," not a single print of which, it is safe to say, ever added one iota either to our enjoyment or comprehension of the poet. We put down the ponderous volume with a feeling of relief, quite tired of the wooden Northcotes and Opies, of Fuseli's epileptic extravagances, and of Benjamin West's commonplaces in paint. It is a remarkable fact that no painter has ever won enduring fame by working from writers, if we except the Bible, which is so much more than any book. The illustrator has a place by himself, and it is not a high one. Even Hogarth could do little or nothing with such a book as "Hudibras," or a great draughtsman like Doré with the Scriptures, or even with Rabelais, whose wonderful genius seems to have been quite past the comprehension of that clever Frenchman. Of what use was the prettiness of Westall to all the poets whose works he spent his life in adorning with nice frontispieces and vignettes? How independent are the best of Bewick's works of the books in which they appeared! His beggars, asses, cattle, peasants, gypsies, and the rest, might all be cut out and put in a portfolio by themselves, without in the least diminishing their interest.

Portraiture is a department of illustration that requires a separate consideration. We love naturally to look upon the faces of distinguished men that are no more to be seen in the flesh; but, to be at all satisfactory, engravings of them must be after originals of decided merit. It is questionable whether we have gained anything in this department of the fine arts by the discovery of photography. The best photographs are only by accident good portraits — hardly one perhaps in a hundred. They give passing moods, and not the whole character. They have a certain uniformity of expression, which, when many of them are gathered together, becomes monotonous and tiresome. All these

figures and faces are upon dress parade, and have an appearance of being looked at. Usually, they exhibit a deplorable lack of *insouciance*, and they might, for anything you see in the faces, be all deaf and dumb. More or less, they have what is insufferable in portraiture, an air of dramatic pose, so that the best photographs taken have been those of actors and of actresses, whose life is one of display whether upon the stage or facing the camera. Yet, singularly enough, even in their characteristic costumes, they look like themselves and not like their characters. If we compare them with drawings of the same class made during the last century, with the fine prints of Garrick as "Abel Drugger," or with the Reynolds portrait of Mrs. Siddons as "The Tragic Muse," we shall discover the difference between mechanical and intellectual work. How different is the production of the human hand from that of the camera, in dramatic portraiture, may be seen by comparing the figures in Bell's "British Theatre" with those of actors and actresses as produced by the photograph. The former are full of the life and spirit of the stage; the latter have no characteristic at all, save that of self-conscious peacock pride of costume, and the possession of physical beauty. And yet Bell's prints are of an inferior pictorial order, compared with such a picture as that of the Kemble family in "Henry VIII.," or with Sir Thomas Lawrence's portrait of Charles Kemble in "Hamlet." Photography is a cheap and convenient resource, but the utmost care and skill cannot make it much better than a manufacture. Its want of originality is a necessity. Its merits are its economy, and the rapidity of execution of which it is capable, together with that superficial fac-simile resemblance which finds favor in uneducated eyes.

Half of illustration is impertinent. It is a suggestion from somebody who is perhaps less fitted than the reader to judge of what he shall admire the most. It is like the irritating comments that stupid folk scribble upon the margins of novels. "Is not Jane lovely?" "Beautiful!" "How brave Charles is!" Reading, to be much more than an amusement, must be an intellectual process, and this is true, to a certain extent, even of reading that is considered to be light. A large majority seek to be amused. If the pictures amuse them more than the text, they will accord the largest proportion of attention to the pictures, reading just closely enough to make them comprehensible. A scene, an action, an event vividly described by the writer, ought of itself to make

a picture in the mind of the reader, and each ought to make his own. They might differ in details, but these are of no importance if only the general spirit of the text be observed. But here the illustrator steps in and makes originality of impression impossible. He takes the work out of the hands of the writer, and dictates to the reader what he shall see. No wonder that writers are often ill-content with the illustration that has been vouchsafed to them. The picture is and can be only one man's notion of what has been described. It is not a translation; it is not even a paraphrase; it is simply a commentary, wise or unwise, which, even if one had been needed, has not supplied the need; and any literature stamped with such characteristics can only enfeeble the mind and pervert the judgment and diminish the ability to read to any purpose.

The instances in which the pencil of the illustrator and the pen of the author can work in perfect accord must necessarily be fortuitous and few. Apart from intellectual difference of kind, and the separate demands made upon the mind, it would be wonderful if there were not usually marked inequality of power. This is so evident in special instances as hardly to require demonstration. If we reconsider Shakespeare, for instance, we find him a perpetual source of illustration. Many pictures have been painted, statues have been suggested, engravings without number produced, pictorial editions of the plays multiplied, yet there has been no distinctly great production. Nobody cuts a marvelous figure in the arena who goes upon crutches at all, and still less he who goes upon borrowed ones. Boydell's Shakespeare is a frightful example. It is wooden and academic from the start. It is the most dismal failure — a failure in design and equally so in execution. Fusali's contributions are a nightmare, and suggestive of delirium tremens. Northcote's and Opie's figures would hardly do for the bows of frigates. The women in Peters's "Merry Wives of Windsor" look, in their lace, as if they had just come out of brothels. There are no illustrations of "Paradise Lost" that are worth a farthing, and almost without exception those of "Don Quixote" are a weariness. Doré's pictures from Rabelais make the book, which was coarse to begin with, coarser still. The artist does not seem to have had the least idea of the meaning of his author, and his illustrations are all unfragrantly redolent of the nineteenth century. Grandville and Tony Johannot are

much better, and the latter's designs for Sterne's "Sentimental Journey" are really bits of genius in their way. Hogarth did one or two clever things for "Tristram Shandy," for "Hudibras," and for Fielding, including the portrait of the immortal novelist which he drew from memory, and for which it is said that Garrick posed. But down almost to the present time, the illustration of literary work was comparatively limited, except in books that were professedly books of design, like Bewick's. But we have drifted back to the days of the *Biblia Pauperum*. This began in the magazines with Maclise's portraits drawn for "Fraser," and was followed by such trash as the "Books of Beauty," the "Drawing-room Scrap-books," and all the parlor-table annuals. The rage for pictures reached the novelists; Cruikshank, Seymour, Kenny Meadows, to mention no others, began to design for books of fiction, and became so important to their success that it is no wonder the first named actually supposed himself, in his old age, to be the author of "Oliver Twist." He was a man of some genius, and did some clever work, but he was not a good draughtsman. He was essentially coarse, and never entirely overcame a tendency to caricature. He lacked imagination, and he could not have drawn a woman if his life had depended upon it, except a woman of the slums and the street. In all his pictures there is not a pretty face, not even of a bar-maid. The "Pickwick Papers," undoubtedly intended to be a letterpress to accompany pictures, were soon made something much more important by the cleverness of Mr. Dickens; and yet he never thoroughly relied upon pictures, and never printed anything without them—fairly good sometimes, sometimes indifferent, and sometimes bad. Mr. Thackeray fell into the habit, in his case confirmed by his personal love of art, of publishing picture-books, sometimes with his own designs, which were usually ill-drawn, and hardly better drawn when he confided the work to Doyle. Meanwhile "Punch" did much to increase the appetite for illustration, which had now become as confirmed as a school-boy's for lollipops; the pictorial newspapers had naturally a great success; and the time came when the public would have nothing without engravings.

Americans followed the example, and began to have their own pictorial newspapers and magazines and their own editions *de luxe* of favorite authors. For a while our work in this way was mediocre or very ill-done. The Philadelphia magazines for a long time printed engravings that would not now be tolerated.

Mr. Bennett scraped some excellent mezzotints for the "New York Mirror," which are now cheap at almost any price. The "Tokens" and "Atlantic Souvenirs," that had really given illustrations of merit, employed the Cheneys, Mr. Dick, and other skilled engravers, with good results; but the annuals were fairly swamped by the flood of cheaply adorned weeklies and monthlies, and disappeared. It is only fair to say that this kind of work has diminished in quantity and improved in quality. The prints in "The Century" and "St. Nicholas" are almost all that could be desired of the kind — well-drawn, well-engraved, and admirably printed. They are instructive, and for those who will not think, they help the text. It is true that they are mannered, and there are so many of them that they become sometimes as wearisome as a book extended from one volume to ten; but it is encouraging to feel that we have at last reached the extreme point, beyond which we can no farther go, unless we give up letterpress altogether.

It may as well be said plainly that this system of illustration is a fashion, and cannot last. In one sense it is aboriginal and savage, if not childish. It bears a close resemblance to the æsthetic craze, which is only a revival of a similar madness in the eighteenth century. Nothing that encourages affectation, or that leads us to be satisfied with the pretty and to forget the great, can promote a real love of art. It is of small use that we admire, though even that is better than to say we admire while knowing nothing about the matter; the main point is, whether an object is worthy of admiration. A man who likes a meretricious picture, and admits his gratification, is so far worthy of praise; but that does nothing for the picture, nor is the man himself less an object of commiseration. Tinsel is tinsel, and fillagree is fillagree, and leather is leather, and prunella is prunella, and will be until the end of time. What good has the picture-card mania (now happily dying out, if not dead) ever done to any human soul? Chromo-lithography was carried to such an extent that at last the popular stomach revolted. The same fate awaits over-illustrated, tawdry, and bright-looking books. People will come back to good plain letterpress, to quiet binding, and to mere frontispieces, with a portrait or so to gratify a reasonable curiosity.

Illustration without text, and confining itself to the expression of an idea or a series of events, at its best may be independent of the letter and tell its own story. The "Dance of Death,"

for instance, needs no explanation. The same is true of many of the scenes of Hogarth — of "Marriage à la Mode" and "The Industrious and the Idle Apprentice." The cartoons of Raphael tell their story simply, plainly, and forcibly. But in every publication in which pictures are permitted to dominate, it will be found usually that the original text exhibits a tendency to deterioration. There is evidence of this in "Punch," which has lost almost entirely its literary character. Those who like a plenty of pictures do not much care to read. Great poets and novelists and historians have never depended upon pictorial assistance, nor have the ablest magazines and newspapers.

Caricature, which works not necessarily by distortion, but by an aggravation of personal peculiarities, and by a material parody of serious actions, while in some respects analogous to satire, is not necessarily ill-natured. Its tendency, however, is in that direction. It seizes upon manners, physiognomies, and figures, and does its best to render them ridiculous. Even when simply humorous, and so far good-natured, it is intended to have the effect of a serious argument. Its methods are very old, and were used by the Egyptians, the Greeks, the Romans, in early Christian times, in the Middle Ages, and ever since, by most peoples. Caricature, designed for immediate and popular effect, almost always degenerates into coarseness and exaggeration. It takes the color and shape of those to whom it is addressed. English caricature, for example, has usually a touch in it of the pot-house and the prize-ring. Nothing is left to the imagination. The most dignified personages are represented in the most undignified positions. If there is a play, it is horse-play, and of the roughest. Many of the works of Gilray and Bunbury are indecent and hardly fit for the walls of ale-houses. English caricature during the wars with Napoleon sank into sheer degradation, and became utterly disgusting.

Once in four years, on the recurrence of our national election, our politicians find caricature a cheap and ready expedient, and our shop-windows are full of these satirical lithographs, of which the humor is rather dreary, the point scarcely perceptible, and the general style mediocre. Many of them are such as boys would make upon fences, only a little better drawn. The allusion is generally to some campaign scandal, quite bad enough in cold type, and insufferable in a print, especially if inflamed by color. The caricatures of the newspapers are many of them

strong, if not humorous; those of "Puck," for instance, showing a decided advance in the art. The main fault of our political caricature is its incongruity. Frequently a scene is presented representing nothing that ever did happen, or ever can in this world. There is no story, no probable action, no simplicity of truth, no propriety of detail. Often there is a want even of drollery. We are expected to laugh, but we find nothing to laugh at. It is like a comic play in a cheap Third avenue theater. The fun is that of Mr. Merryman in the circus. The picture, whatever the skill displayed by the artist, makes no impression; it is looked at and forgotten.

We trust that in this article we have not been hypercritical. We understand perfectly well the innocent pleasure that cheap pictures give; but we understand, also, that an indulgence in this taste may be carried too far and may work harm both to the illustrator and the illustrated. We are living in a time remarkable for a want of great writers in several departments of literature, and it may be questioned whether this unpleasant state of things may not be attributed, in part, at least, to the intellectual indolence that a habit of indulgence in mere picture-gazing may have originated and confirmed.

CHARLES T. CONGDON.

RESTRICTION OF THE SUFFRAGE.

THERE are two diametrically opposite theories touching the right of suffrage. One is that the universal enjoyment of the right to vote for public officers, and to fill offices in the gift of the people, is a right by natural law. This idea is grounded on the fiction that the obligations of municipal law arise out of a social contract, express or implied; that by this contract suffrage, or voice in the affairs of government, is one of the incidental rights of citizenship, and consequently should be universal, especially in a representative form of government. The other is that, since the true object of government is the welfare of the whole, the duty of the state manifestly is to consider whether suffrage may be more beneficially exercised by the many or the few; that if it is the intelligence and virtue of the community which an elective legislature should represent, their suffrage must of necessity be limited; and that as the state may, in order to secure the general welfare, fix the qualifications of voters, suffrage is, so far from being a natural right incident to citizenship, merely a political privilege.

The first, namely, that suffrage ought to be universal on the assumption that it is a natural right, has been very generally condemned by publicists as erroneous in principle and inexpedient and dangerous in practice. It has never been accepted in the United States. No one has ever pretended that our State governments were originally constituted upon any such a pernicious theory; nor has any American statesman above the grade of the average demagogue ever committed himself to unqualified suffrage as a matter of policy. Suffrage has never been, nor is it now, universal in any of the States of the Union. Women do not vote, and yet they are citizens. Even manhood suffrage is nowhere quite universal. All the State governments annex to its exercise certain qualifications, such as age and terms of pre-

vious residence; and in addition to these, the elector is usually the subject of certain taxes. In some of the States, as for instance in Connecticut, he must have served in the militia; in others, a property qualification has always been required. In Rhode Island, every voter must be a freeholder, and the value of his freehold must not be less than $134. And by none of the Constitutions of the original thirteen States was the bare fact of citizenship a qualification to vote for public officers. Citizenship invested its possessor with certain inestimable privileges and immunities of a fundamental character, but the right to vote or hold office was not among them.

The idea of unqualified or "tramp" suffrage, like communism, with which it is closely allied, seems to be of modern origin; and, like that and kindred isms, it usually finds advocates and apologists in the ranks of the discontented, improvident, ignorant, vicious, depraved, and dangerous classes of society. It is not indigenous to the soil of the United States. It originated in the slums of European cities, and, like the viper in the fable, has been nurtured into formidable activity in this country by misdirected kindness.

But it has been asserted and believed, especially on the opposite side of the Atlantic, that our federal Constitution, as amended by articles xiv. and xv., fastens upon us the doctrine of unqualified suffrage. This is a very common error of opinion among the European masses, who know almost nothing of our complex system of government. But English journalists and magazine writers, who are in a great measure responsible for it, ought to know better. Even a superficial acquaintance with the origin, history, and present provisions of our Constitution, ought to be sufficient to dispel such an illusion.

By our old Constitution of 1777, known as the "Articles of Confederation," representatives in Congress were "appointed in such manner as the Legislature of each State should direct"; and, by the provisions of nearly all the State Legislatures, some kind of property qualification was required, as well of the elector as of the elected. By our present Constitution, adopted in 1787, the House of Representatives is "composed of members chosen every second year by the people of the United States"; and the electors of such members "must have the qualifications requisite for electors of the most numerous branch of the State Legislature" (Art. I., Sec. 2). That is to say, all persons quali-

fied by State laws to vote for members of the lower House of the State Legislature, are, by that fact alone, qualified to vote for members of the lower House of Congress; and it follows, as a natural sequence, that persons not so qualified are not legal voters at national elections. Even the "times, places, and manner of holding elections for senators and representatives" in Congress, are regulated by local or State legislation. True, "Congress may at any time by law make or alter" these regulations as respects the election of representatives, though not as to senators; but this provision has never been held to extend to the power of fixing the qualifications of electors; that has always been regarded as an exclusive prerogative of the States.

It is very true that, by provisions of the Fourteenth Amendment, there is now a citizenship of the United States quite independent of citizenship of an individual State. In other words, a man may now be a citizen of the United States without being a citizen of any one State of the Union; and a citizen of an individual State is, according to the tenor of recent judicial decisions, merely a citizen of the United States residing in a State. But it by no means follows that suffrage is a necessary incident of such national citizenship. The weight of judicial opinion is directly to the contrary. Suffrage is one of the chiefest functions of citizenship, and its just and constitutional possession is the highest evidence of citizenship; still, a man may be a citizen without it. The proposition laid down by Justice Curtis (in 19 How., 581) that "the enjoyment of the elective franchise is not essential to citizenship," has never been set aside.

The Fourteenth Amendment of the Constitution, after defining citizenship of the United States as embracing "all persons born or naturalized in the United States and subject to the jurisdiction thereof," prohibits the individual States from making or enforcing any law abridging "the privileges and immunities of citizens of the United States"; and this has been cited in support of the assumption that the States are prohibited from limiting the elective franchise. The question, then, is, What are these "privileges and immunities"?

The terms are not new in the Constitution. They were in it more than three-quarters of a century before the Fourteenth Amendment had an existence. They occur in the second section of the fourth article, which declares that "the citizens of each

State shall be entitled to all the privileges and immunities of citizens of the several States." There were, then, certain "privileges and immunities" incident to American citizenship at the time of the foundation of the government; and they were of a character so sacred that the framers of the Constitution thought it necessary to prohibit the States from interfering with them. But the fathers were equally careful, as we have just seen, to reserve to each State the right to fix the qualifications of electors; and this right has been always asserted, maintained, and exercised by the States in their local legislation prescribing the prerequisites of age, residence, payment of taxes, etc. It is manifest, therefore, that suffrage was not considered one of the "privileges and immunities," the abridgment of which was prohibited to the States.

The expression, then, must be understood as limited to those "privileges and immunities" which attach to the essence of citizenship; such, for instance, as protection in the right of person and property, the enjoyment of life and liberty, the right to acquire and possess every species of property, and to pursue and obtain happiness, subject only to such restraints as the government may prescribe for the good of the whole. Thus, for example, that no greater burdens can be imposed on a citizen of one State temporarily residing in another than are imposed on the citizens of the latter. In other words, the clause was simply meant to guarantee equality in the enjoyment of the fundamental or so-called private rights, as between citizens of the several States while in the same State. It has never been construed otherwise by our national tribunals; and no intelligent American lawyer would hazard his professional reputation by asserting that, as used in the Fourteenth Amendment, it confers the right of suffrage.

Nor does the second section of the amendment confer this right upon "all male citizens of the United States twenty-one years of age," though the contrary has been loosely asserted. The first clause of the section relates exclusively to the method of apportioning representation among the several States. It supersedes the old method, and counts "the whole number of persons in each State" (exclusive of Indians not taxed), instead of determining the apportionment, as formerly, by "adding to the whole number of free persons three-fifths of all other persons." That is, when the negroes were held as slaves, five

counted as three; but now that they are free citizens, each counts one in the apportionment of representation. But the qualifications of electors remain as provided for in the first article of the Constitution. This is manifest from the language of the final clause, which is as follows:

"But when the right to vote at any election for the choice of electors for President or Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State."

Now, while every one acquainted with the discussions at the time knows very well that this clause originated in a purpose to enfranchise the negro as a class, it seems almost incredible that any intelligent man should conclude that it was designed to take away from the States the right, which they had exercised from the foundation of the government, to fix the qualifications of electors. It certainly does nothing of the kind. Each State is still competent, and exclusively so, to fix its own standard of suffrage. But if, in doing this, it should exclude from the privileges of the ballot male citizens of the United States twenty-one years of age, a proportionate diminution of its representation, under the new apportionment, would necessarily follow. It would lose, not as a penalty, but as a sequence, a portion of its numerical representation in the lower House of Congress.

Nor is the right of the State to fix the qualifications of voters seriously interfered with by the Fifteenth Amendment, which merely provides, as a supplement to provisions in articles xiii. and xiv., that the standard of suffrage shall be impartial. There must be no discrimination on account of "race, color, or previous condition of servitude." No other restriction is imposed. The State Legislature may still exclude ignorant and vagrant white men from the privileges of the ballot; and it may, with equal impunity, exclude ignorant and vagrant negroes from its privileges. But, in either case, the line must be drawn without reference to race distinctions. No man, white or black, can be denied the ballot merely because he is white or black. Hence a

statute fixing an educational or property qualification without regard to "race, color, or previous condition of servitude" would not fall within the prohibition.

The question, then, is one of policy merely. The State has only to consider, first, whether its own domestic government would not be improved by a judicious restriction of the suffrage; and, second, whether it would not really gain, rather than lose influence in the councils of the nation by such a measure. Its present quota of representation in the Senate would remain unchanged; and by a loss of two or three demagogues in the lower House, it would incur no actual loss of influence therein. Every one experienced in public affairs knows that it is not in the number, but in the ability and character of their representation, that the people of any given State attain to influence in the national legislature. We cannot, by any political contrivance, annul the divine law by which one wise man counts for more in deliberative assemblies, and in the destiny of the world generally, than any number of fools.

That the spirit of our government has been undergoing a rapid change during the past quarter of a century, every intelligent man realizes fully. But these changes are all due to antecedent causes. It is a futile misrepresentation of facts to say that the constitutional amendments opened the flood-gates of universal suffrage. It was the State governments themselves that sowed the dragon's teeth. The craze for universal suffrage broke out among them some forty years ago, and since then their legislation shows a rapid destruction of former constitutional checks. Long before the late amendments to the federal Constitution were dreamed of, the State governments, with hardly an exception, had already degraded suffrage, increased the number and frequency of elections, made nearly all offices elective for short terms, and stripped the local judiciary of its ancient independence and dignity. All history proves the danger of such an experiment—if, indeed, that can be called an experiment which has been so often tried, and has so invariably failed, in other countries. The danger consists in the spirit of faction, and the power of active, ambitious, unprincipled, and reckless demagogues to control the popular voice for their own selfish purposes. But when such methods are applied to the selection of judicial officers, the case becomes infinitely more serious, because its natural tendency is to break down and de-

stroy the independence and integrity of the administration of justice. And yet, contrary to the teachings of history, and to the dictates of enlightened reason, this is precisely what nearly all the States have done. Some of them compromised with this demagogue spirit by making their judges elective by the legislature for short periods of one, two, and three years; but the tendency in all was toward an elective judiciary by universal suffrage for short periods. The consequence has been that, in some of the States, the local tribunals are little else than political clubs, and an able and pure administration of justice is exceptional.

We are in the habit of charging this failure of justice to the jury system; but where the judge himself is selected by the mob, and is, in too many instances, merely an ignorant ward politician, why attempt to make a scape-goat of the jury? Surely if a man is deemed competent to pass upon the legal and moral qualifications of the judge, he ought to be considered sufficiently well-informed and honorable to decide upon the mere issues of fact ordinarily submitted to a jury.

Happily the national government still preserves its independent judiciary. But the demoralizing effects of the danger of demagogism are apparent in nearly every other department. If we examine the make-up of Congress we find many painful evidences of this. We cannot resist the conclusion that there has been a general deterioration; not merely in respect to learning and ability, but in character and integrity also. It contains more professional demagogues than formerly; and their increase has been out of all proportion to the increase of population. If we compare its daily proceedings with those of former times, we are struck with the great increase of purely "buncombe" resolutions. How much more frequent is the small demagogue's cry of "economy" than formerly! Every Presidential election is now preceded by a foolish wrangle over the appropriation bills, though the treasury contains millions where it formerly had hundreds; but when the election is past, how ready these "economists" are to squander large sums in mere sham "investigations"! And how much more frequent than formerly are measures proposed with a full knowledge of their absurdity and in the hope and expectation that they may not pass; or, if they should pass, then comes the shameless apology or explanation that they "amount to nothing," and were merely intended to satisfy some insane local clamor.

Congress contains another element which is comparatively new. Lucky speculators and stock-jobbers — possessors of suddenly acquired wealth by some capricious and unexpected turn of good luck — seem to be pressing into it from all sides; and as it would sound very ludicrous to ascribe their elevation to their brains, it must be put down to their money. It would be quite as ludicrous to assume that they are somehow miraculously transformed into statesmen by the mere transfer of their bodies to seats in Congress, or that their methods of treating questions of state-craft differ materially from their accustomed method of treating questions with which they are more familiar, namely, by the standard of money alone. It ought to create no surprise, then, if monopolies and moneyed corporations should sometimes make their power felt at the national capital, and that legislation should take the direction indicated by the lobby. The marvel is not that "jobs" and legislative scandals should be more frequent than formerly, but that they should not be more frequent and shameless than they are.

We hear a great deal just now about civil service reform, and all efforts in that direction are highly commendable. They respond to an enlightened and patriotic sentiment which rises above all considerations of mere party. But why attempt the impossible task of cleansing the stream before purifying the fountain? Why not adopt the more rational course of purifying the fountain, and thus prepare the stream to cleanse itself? Who does not perceive the impracticability of any substantial or permanent reform in our civil service without the hearty coöperation of Congress? But this coöperation can never be obtained so long as congressmen regard civil offices as rewards for political influence; and such offices will continue to be so regarded by them just so long as seats in Congress are won by promises of reward for services at the primaries. And the managers of the primaries will continue to decide who shall go to Congress just so long as more than one-third of the voting population is illiterate and hopelessly ignorant of their duties and responsibilities as electors, as is the case to-day in nearly half the States of the Union. Consequently, with universal or "tramp" suffrage, no civil service reform worthy of the name is possible.

To check this downward progress, two methods have been suggested. One is a system of compulsory education by the

national government; that is, that the government become paternal in form, and, by playing the *rôle* of school-master, endeavor to educate the masses up to a given standard of intelligence and virtue. The other is that, since it was they who put us on the downward slope to perdition, the State governments shall now put on the brakes, by restricting the privileges of the ballot to persons qualified by intelligence to use without abusing it, and, above all, by abolishing their foolish constitutional provisions for an elective judiciary for short periods.

The first meets with opposition from the "State Rights" people. In politics, as in religion, prejudice is sometimes stronger than principle; and the party that fought national banks, opposed internal improvements by the general government, and now relinquishes its cherished dogma of "State sovereignty" with a sort of mental reservation, would not readily favor a system of compulsory education by the national government. The measure is open to the objection, also, that, even if successfully inaugurated, one generation must pass away before its benefits could be realized. It would, moreover, involve some important modifications of our naturalization laws. Naturalized foreigners have usually passed that period of life wherein character yields to the plastic hand of the school-master; but if they were still of teachable age, we could hardly undertake to educate the illiterate and morally deformed of the whole world.

The second proposition excites opposition from a class of humanitarians. Like the Jacobins of the first French Revolution, they never weary of shouting, "Universal fraternity and equality." They assume that any restriction of the ballot implies distrust of the people, and that distrust of the people proceeds from a want of high moral perceptions. Unlike the Jacobins, they are probably sincere in this belief; but if we grant their sincerity, it must be at the expense of their understanding. For it seems never to have occurred to them that the question is not one of morals at all, but one of judgment only. It seems never to have occurred to them that a man may honestly disbelieve in the political capacity of the mob without being deficient in Christian or humanitarian principles; that there is a wide distinction between equality before the law and equality of the right to govern; and that it is sheer nonsense

to talk about a thing being "right" or "wrong," when we only mean that it is either wise or foolish.

Again, it is objected that any restriction of the ballot, after suffrage has become so well-nigh universal, is impracticable; that it implies a higher degree of moral courage than is usually found in representative assemblies; that demagogues would oppose, and timid but well-meaning men fear to advocate it; and that, as the demagogues would thus have the balance of power, they would be able to create civil commotion.

Let it be admitted, then, once for all, that no great political reform has ever yet been inaugurated or carried out by timid men; and, therefore, that timid men would do well to follow, and not lead, in a reform like this. Let it be admitted, also, that demagogues usually oppose whatever they conceive to be an attempt to lessen their power; and that, as qualified suffrage would be such, they would certainly oppose it. Let it be admitted, furthermore, that demagogues of the very worst type are already powerful in our state and national politics; and that, as they have no interest in the affairs of government beyond their own selfish ends, they would most likely not hesitate to create commotion, if by so doing they might keep themselves in position. The reply is, that if they are already so powerful as to make cowards of honest men, that is but an additional reason why the reform cannot begin too soon, nor be too vigorously prosecuted. It might indeed create some commotion. There was, according to the classic poet, commotion in heaven when the arch-demagogue was cast out from the celestial kingdom; his disciples and imitators in the natural world would hardly be more considerate. But if it was expedient to hazard the peace of heaven in order to rid it of his power, why should it be thought inexpedient to run the same risk here below in order to get rid of his imps in politics? The midnight fire-bell, says another of our classics, is seldom a tocsin of agreeable import; it generally creates commotion, and the result of the disturbance may be injurious to weak nerves; but it is usually accepted by prudent men in preference to a hopeless conflagration.

No thoughtful man in this country believes for a moment that things can long continue as they now are. A change of some sort is inevitable. Either the national government must, as a defensive measure, establish and maintain a system of public instruction, quite regardless of "State Rights"; or the

States themselves must take the initiative, either by establishing efficient systems of public instruction or by a judicious but impartial restriction of the suffrage. In default of some such measures, our political disorders must, of necessity, go on from bad to worse until they "burn themselves out"; and this burning-out process must ultimately end either in organized anarchy, such as now exists in some of the little Spanish-American Republics, or in a military despotism, such as followed the disorders of the first French Republic. Either our civilization must be sacrificed to licentiousness and anarchy under a false conception of "liberty and equality," or a portion of that licentiousness which we mistake for liberty must be sacrificed in order to preserve our civilization.

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EDITED BY ALLEN THORNDIKE RICE.

December, 1884.

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MELBOURNE: W. Robertson. YOKOHAMA and SHANGHAI: Kelly & Walsh.

Single number, Fifty Cents. Yearly subscription, Five Dollars.

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1884.

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ART. PAGE

I. LABOR AND CAPITAL BEFORE THE LAW. By T. M. COOLEY, Justice of the Supreme Court of the State of Michigan. 503

II. THE PALACE OF THE KINGS OF TIRYNS. By HENRY SCHLIEMANN, F. S. A., R. I. A. 517

III. NOTES ON RAILWAY MANAGEMENT. By WILLIAM K. ACKERMAN. 531

IV. THE BRITISH HOUSE OF LORDS. By GEORGE TICKNOR CURTIS. 547

V. RESPONSIBILITY FOR STATE ROGUERY. By JOHN F. HUME. 563

VI. FRIENDSHIP IN ENGLISH POETRY. By J. C. SHAIRP, LL. D., Principal of the University of St. Andrews. 580

NORTH AMERICAN REVIEW.

No. CCCXXXVII.

DECEMBER, 1884.

LABOR AND CAPITAL BEFORE THE LAW.

THE chief concern of every political society is the establishment of rights and of adequate securities for their protection. In America it has been agreed that this shall be done by the people themselves; they shall make their own laws, and choose their own agents to administer them. But the obvious difficulty of doing this directly has been recognized, and the people, after formulating the charter of government, incorporating in it such principles as they deem fundamental, content themselves with delegating all powers of ordinary legislation to representatives. Notwithstanding this delegation, much direct legislation of a very effective and important nature is constantly going on, at the time attracting little or no attention. This is the steady modification of the common law by public sentiment, noticeable only when it has crystallized in general custom. The best of all laws for all countries are made in this way. Custom, when voluntary, is the conclusive proof of the final and settled conviction of the people as to what the rule of right and conduct should be on the subject to which it relates, and for that reason it is likely to receive spontaneously the obedience that statutes exact by compulsion.

A vague impression prevails that the species of popular legislation to which we owe the common law has come to an end, and that customary law is to be looked upon as a finished code, to be altered and improved by statute only. As a theory for legal purposes, this may pass unchallenged; but it is very far from expressing the fact. Probably popular legislation was never so active as now. The reasons for this are all about us — in the wonderful activity of invention and production; in the marvelous expansion of business; in the infinite variety of new conditions to which the law must be conformed. Sometimes statutes have sufficiently provided for the new ways, new things, and new conditions, sometimes imperfectly, and sometimes not at all, and the legislation of usage must supply the defects. How effective it is, we only know when the occasions arise for adjudication upon it. The Chicago warehouse cases may furnish an illustration. The State of Illinois undertook, in the interests of business, to control a practical monopoly by limiting the charges. But the business it proposed to control was one established purely as a private business, on private capital, and without State grant of either privilege or subsidy. Whence did the State derive the power to intervene? The case was new and without precedent; and if the Constitution of the State did not determine the limit of State power, it must be sought for in such principles of government as were embodied in the common law, and as have been adopted by the people as part of their heritage of freedom. The United States Supreme Court, in upholding the State action, attached importance to a *dictum* of Lord Hale that seemed to bear upon the case in hand. But a *dictum* of any lawyer, however eminent, when not giving authoritative judgment, could be only the expression of individual opinion — the application of his own common sense, enlightened by his learning, to a certain state of facts; and the common sense of the general public, enlightened by the broad and varied experience of the present century, must, in many cases, be far more worthy of being followed than any *dictum* coming to us from the centuries that preceded it. When the control of a business is in question, there is a necessary presumption that experience is of value; and old opinions as such claim no respect.

On some subjects the state of the law at any particular time is almost of necessity somewhat uncertain; and precedents,

which are supposed to show what the law is, may only tend to confuse and mislead when the movement of the time has been away from them. The United States Supreme Court, in 1857, declared that persons of African descent were not citizens of the States of the American Union. Ten years later, independent of constitutional amendment, the same Court would have held the contrary; not merely because there had been great changes in the Court in the meantime, but because in that short period the course of public events and the modification of public sentiment had made the previous decision as much out of harmony with the existing condition of things as though it had been based on feudal reasons. If the decision was law when declared, ten years had made it obsolete.

Some kinds of business are so entirely new in some of their features that precedents are nearly worthless. The business of operating a railroad is one of these. Statutes do very much to determine what the respective rights and obligations of the public and the proprietors shall be, but constantly some combination of peculiar facts is raising new and peculiar questions upon which the statutes throw little light, and the courts are compelled to determine them upon the reason of the common law. But on all such questions observation and experience are the chief teachers; and the judge, when he comes to deal with them, finds that everybody in any way concerned in railroads has been doing something to enlighten his judgment and solve the legal difficulty. Railroad managers, and conductors, and brakemen, and switchmen; the shippers and receivers of goods; those who travel, and those who go to the trains to receive or dismiss them; the very tramps that jump on and off the moving trains, with occasional loss of foot or arm; in fact, everybody who is concerned in providing or appropriating the comforts and conveniences the railroad affords, has been thinking upon and in some measure doing something to solve the judicial problem; and the judge finds that a store of wisdom has been accumulated by various classes and various interests wherewith he may enlighten his mind. He may even find that this is not only important by way of instruction, but that in fact it has established rules to which railroad managers, as well as the community at large, have already begun to conform, or, at least, have already come to perceive that they must conform when occasion arises for an authoritative declaration of the law in an

actual controversy. It may be thought that the judge, in thus taking note of the formation of customs among the people, is in danger of deferring to public opinion to an extent that may make him the mere mouth-piece of temporary passion, or prejudice, or possibly of party views. Undoubtedly, there is some danger of this, but it is a danger that is encountered necessarily. The judge who turns a deaf ear to popular clamor at all times, and means to heed only the voice of the law, is still compelled to bear in mind, when dealing with common-law questions, that the common law in its very nature is subject to continuous change, and that he is always concerned with it as it is at the time, and can consider what it has been only as an aid in determining its present state.

One principal difficulty with popular legislation is, that prevailing opinions are not always either wise or moral; they are, moreover, fitful and uncertain, and may demand to-day what they will anathematize to-morrow. In a particular locality or section, popular sentiment may attempt to set up a code that the world abhors, and to engraft a scion of barbarism on modern civilization. The Mormon in this way endeavors to establish polygamy, and if not controlled by the preponderating sentiment of the vast majority of the people, might succeed in doing so. Still, even the local sentiment is an important factor in dealing with the evil. The government cannot wholly ignore it, unless it is ready to incur the risks of permanent rule by the army or by military commissions, and of having by and by an Ireland of our own. We might then discover that if anything could be worse than the holding of a people in subjection by a monarchy, it is the holding of them in subjection by a popular government. In dealing with any evil that has even local popular support, patience is as necessary a virtue as courage or perseverance.

But very much of popular law-making requires expression under legislative forms before it can become authoritative; and the legislator is under the necessity of recognizing and deferring to public sentiment where it neither has been nor can be consolidated into custom. The legislator, it is true, during his term of office is entitled to independence of action; he cannot be authoritatively instructed; he cannot be compelled to obey the popular will. But he is, after all, only a representative; and the necessities of his position require that he

should allow the popular voice to speak in his acts. To some extent he may be able to lead the public sentiment, and to become a teacher of the people; and in his legislation he may safely be somewhat in advance of a sentiment that he perceives is improving, and that he is aiding to improve. But to be in his legislation far in advance of the public opinion of the day would be as fatal as for a military commander, in his eagerness for victory, to outrun his supports. The most perfect law, abstractly considered, if it lacks the popular approval, can seldom in the full and proper sense be a law at all, because habitual obedience will not be accorded to it, and it will be disobeyed whenever it seems safe to do so. And it is generally safe in a free country to disobey any statute that lacks the foundation of general consent. Still, the public opinion that is to be considered is not that of the passing day merely, which may be excited and passionate, and quite unlikely to be permanent, and for that reason may be disregarded and even set at defiance; as Pitt for a time, when he first succeeded to power, set at defiance the wishes of Parliament until the deliberate judgments of the people had been formed and had been given expression. Every statesman long in public life has had occasion thus for a time to disobey the popular will; and his statesmanship is shown by his skill in judging what is the passing breeze of opinion, and what the fixed and certain current. To the former he may trim his sails for the time, but the latter is his master. Sir Robert Peel, the protectionist, repealed the corn-laws; and Disraeli, the Tory, granted an enlargement of the franchise, because the time had come when these measures were inevitable, and the ruler must yield them or cease to rule. So the time came in America when a reform in the civil service must be granted. And who must grant it? Obviously, whether willing or unwilling, the party in power.

But the danger in legislation under the force of popular sentiment is not so much that legislators will fail to recognize it sufficiently, as that they will play the part of demagogues, and cater to popular passions and prejudices for purposes of their own. This is especially the danger when class legislation is called for; and the demand for this in the immediate future is likely to be more frequent and more persistent than ever. It is also likely to be directed against classes that may easily be made the objects of popular prejudice; against those who carry on

particular employments, or perhaps against the managers of many kinds of employment. A government may easily be made a tyranny by mere over-legislation, and it may become intolerable if the legislation is purposely hostile. We sometimes say with truth that the best government is that which governs least; by which we mean the one that interferes least with our domestic and business affairs, that makes the fewest exactions, and leaves to us the largest share of individual liberty. But in another sense the best government is that which governs most, which is most certainly present at all times with its protecting arm, and for that reason gives a perpetual sense of security. The great problem in government is, how to have a maximum of protection with a minimum of official or legislative interference; and the proper method of solving this is manifestly not by way of class legislation. On the contrary, the true principle would seem to be, to extend self-government as much as may be found consistent with the safety of the state and the good order of society. We begin self-government in the family; we establish it in the several towns, cities, counties, and states; and we suffer it to exist, also, in the several trades and occupations. Thus, bankers have special rules of their own making for the regulation of their business, common carriers for theirs, telegraph companies for theirs, etc.; and we must all conform to these rules when having business with those who establish them. This the law does not merely tolerate, but encourages, because those engaged in the business know best what the rules should be, and the rules are made by experts after experience and observation have demonstrated their usefulness. This is legislation by the parties who most of all are competent to deal wisely with the subject; and so long as it is properly limited, the state would be inexcusable if, by the agency of legislators of less experience and less competency, it were to interfere. Boards of trade go farther; they not only legislate, but they establish judicial tribunals to enforce their legislation; and, though these are without legal authority, they have means of making it for the interest of parties concerned to submit to their judgments and keep away from the tribunals of the state. Associated railroad companies are coming to have formal legislative bodies as well as judicial tribunals of their own; and they confer upon these a power of regulation that alone can preserve those for whom they act from destructive rivalry. The state complains of none of

these voluntary arrangements until it is found that something is done under them that conflicts with the public interest. Just as the union of the people living in one locality in town and municipal organizations is likely to promote the best local government, so the union of the persons engaged in the same employment in business organizations is likely to bring out the best results in the particular business.

The state does not, indeed, make the local government independent; there must be a wisdom applied to its affairs that looks beyond the territorial limits, and considers how the local affects the general. The town is an inseparable part of the state, and chargeable with many state duties, and unless properly governed may cause mischief to the commonwealth at large. But here, as in the case of the natural person, the supervision of the state is to be directed, not to thinking and acting for the people in what concerns themselves exclusively, which the people themselves must be assumed to understand best, but to keeping the local authority within bounds, and preventing the abuses that might spring from temporary passions and excitements, or the evils that might arise from neglect of duties owing to the state at large.

We do not in the same manner set off by themselves the persons engaged in a particular occupation, and confer upon them corporate powers, but the interference of the state in their concerns may be wisely controlled by similar principles. If they are allowed to govern without interference in whatever relates exclusively to their own affairs, keeping themselves at the same time within the general rules of law, and if the state shall keep firm rule in all that concerns the relations of the particular business to others and to the state at large, we shall then have that effective combination of self-rule with state control in which alone can we have a government that at the same time is well informed and well restrained.

In some particulars the self-government of occupations has never been settled upon a safe or even a peaceful basis. This is chargeable to internal dissensions; for the state has refrained from much interference. As a result of their contentions, persons engaged in different capacities in the same business have assumed antagonistic positions, and have arrayed themselves in hostile forces. All about us, but especially in the great centers of manufacture, we may see illustrations. The most noticeable

fact in some lines of business is the general combination of proprietors on the one hand, and of laborers on the other, in associations for mutual protection. Nothing at first view would seem more proper; for all employers have a common interest in the prosperity of the business, as all laborers have likewise, and what injuriously affects one may prejudice all. But the evil lurks in the aim and purpose of the combinations; for instead of a common purpose pervading all, the employer is found organized for protection against the laborer, and the laborer against the employer. It is the old fable of the belly and the members realized; but in this case both belly and members are in rebellion against coöperation, and, as a necessary result, both are suffering. The several organizations are likely to have the governing machinery of a little commonwealth; and the legislative and administrative tribunals of each are working at cross-purposes, with a view to circumvent each other. Laborers believe their union a necessity, and the sole means whereby they can prevent their subsistence being at the mercy of employers. Employers look upon their own combination as necessary to secure to them the control of their own business. Thus they stand to each other in hostile attitude, and behind walls of defense. Each is right, in a measure; but the wrong in their strife is more conspicuous than the right, and the evils more certain than the advantages. The defensive organization invites attack. No walled city was ever yet secure behind its battlements; security only came when the good-will of its neighbors permitted its walls to be leveled to the ground. Strikes and lock-outs inevitably bring loss and misery; the strife often becoming a trial of endurance that may bankrupt the employer, while it pauperizes the employed. Nor are these the sole evils; sometimes they are not even the chief. All those classes that are accustomed to prey upon labor — the agitator, the demagogue, the grog-seller, the shyster — make labor troubles their harvest-time, and do what they can to aggravate them, that they may extend the opportunity for making the workmen their spoil. The employer becomes bitter in proportion as he sees his anticipated profits becoming impossible; the laborer is bitter in proportion as he feels himself at a disadvantage; the controversy breeds a lawless spirit, and tends to criminal organizations; it finds its way into politics and into the jury-box; and we are compelled to believe that men sometimes disregard the

obligations of duty, as well as solemn oaths, that they may inflict punishment on those they look upon as extortionate capitalists and hard-hearted masters. The legislation of the state comes to be suspected; one party believing that laws that may or may not be proper in themselves are adopted to win the favor of a rabble, and the other suspecting that corruption controls; until a high-minded and honorable man turns his back upon legislative halls, and refuses to expose his reputation by entering them as a member. These are very serious evils, and they affect the state at large and all classes of the community. We are all concerned, therefore, in establishing a better state of things, if that be possible. The state has ample power to interfere by law, but probably no interference would be beneficial that went beyond the mere preservation of public order. Employers and laborers alike would resent any further interference as an unwarrantable meddling with private concerns. The employer especially would insist on his right to control his business in his own way; to go on or to stop, as his interest seemed to require; to make his own contracts, and to resist contracts being forced upon him. In all this he would be standing upon principles of general acceptance; and the state must respect his rights, because they are rights that belong to us all, and are fundamental. But when a strict insistence upon legal rights leaves the troublesome and dangerous contentions in full vigor, the parties concerned may well be invited to consider whether remedies consistent with justice are not within the compass of mutual concessions.

It is a common remark that the chief difficulty in labor troubles is, that laborers refuse to recognize their own interest, and that they put themselves into the hands of those who make use of them for mercenary purposes of their own. If they would act reasonably, we are told, if they would recognize the laws of political economy, against which it is folly to object, we should not see large bodies of men wasting their time in strikes, and giving their money to support in idleness those who organize disorder. This is doubtless true; the laboring classes are greatly in need of a better understanding of the principles of business as well as of government. There are men among them who, like the Nihilists of Russia, are ready to be indiscriminate destructives. In any country this would be an ominous fact; in a free country it is especially alarming, for the man with

nothing, but who is in sympathy with large classes of discontented people, may be a greater power in the state than the man with large possessions. And when discontent rules, it is possessions that are chiefly in danger.

But the laboring classes are not all who need further enlightenment upon the difficult problems that concern the relations of labor and capital. Hitherto, in dealing with those problems, employers have taken high ground, and have generally been able to maintain it. But in the long run it matters little which party has the temporary success, if the conditions from which the difficulties spring must still continue. A victory is in general a disaster unless it has some tendency to bring about peace; but peace between employer and laborer can never be based upon the triumph of one over the other; it must come from general content. If a man says, "My business is my own, to be managed as I please," we must assent that this is his legal right. But there is a sense in which the business cannot be exclusively his own; and any one who thoughtfully regards all sides of the problems that concern him will not overlook this. While any particular establishment belongs to the proprietors, yet so long as labor and capital are equally essential, any particular business, considered in the aggregate, is as much that of those who bring to it the labor as of those who furnish the money. If laborers withdraw from it, it comes to an end as certainly as when the proprietor closes his doors. That the proprietor has a legal right to close his doors at discretion, regardless of the effect upon the interest of others, must be admitted. But moral obligations are sometimes so imperative that no legal sanction can possibly make them more so. The obligation of the employer to assume some responsibility for the well-being of those who perform the labor from which he expects his profits, ought to be classed in this category. They and their families are in so large a degree dependent upon him, that their condition appeals specially to his humane impulses, and ought to be sufficient security against hasty, passionate, or capricious action to their injury. But as his interests and theirs are to a considerable extent identical, the claims of humanity are supplemented by selfish reasons.

It is a short-sighted view that we take of our relations to our fellows when we say, "If they will be foolish, they must take the consequences of their folly." The vessel to which their

fortunes are committed bears ours also; we are united with them in the management, and are necessarily, as members of the same political society, linked to the same destiny. If folly on their part would injuriously affect them, it concerns us to prevent it if we can; and if the folly is committed, then to guard as much as possible against the injurious consequences. The experiment we are making in self-government is to some extent involved in every unnecessary controversy that springs up to embitter the relations of classes in the civil state; and we neither get rid of the attendant dangers nor to any extent diminish them by turning our backs and refusing to consider the causes from which they spring. It is a momentous fact when a great body of laborers throw down the tools of their business, even though it be done under an entirely mistaken view of their rights or wrongs or interests; and, willingly or unwillingly, we must share the consequences of their mistake or their folly. That they are foolish, instead of being an excuse for turning away from them, ought rather to remind us of a duty to aid them. A foolish man must be expected to do foolish things; nothing but curing the folly will prevent it. But the folly itself is likely to be a consequence of unavoidable conditions.

Labor, the world over, has always in different degrees been the servant of capital; and generally, when not enslaved by law, the remuneration has been so slight that accumulations were nearly impossible. Any untoward circumstance might then reduce the laborer to destitution; and if destitute he might better be slave than free, for the slave must be supported by the master, when the free laborer might be left to starve. Circumstances have made America the paradise of the laborer; but at present there is plenty of real destitution, and probably still more that is simulated for purposes of beggary or crime. But when appeal is made to our charity on behalf of classes apparently destitute, whether we respond or refuse, we may wisely reflect that the appeal is for those who, whether deserving or not, are joint rulers with us of this magnificent and wealthy country. Hitherto the joint rule has been beneficent; but to insure its continuing so, it is needful to take all possible precautions against foolish and disquieting actions. Persons who are both idle and needy may be thinking dangerous thoughts as well as foolish thoughts; but their folly is of itself a danger. A body of strikers may be taught by destitution the folly of their course, but destitution is

not likely to impress their minds with the conviction that the business is exclusively that of their employers. On the contrary, poverty and want, coming upon them from the stoppage of wages, are severe and constant reminders of their personal interest; and it is inevitable that they should suffer under a sense of wrong if they and their families cease to receive the means of subsistence from the business, for reasons the justice of which is not apparent to them. And what they may be thinking under a sense of wrong concerns us all; for the evolution of law is from below, and the rule that finally prevails is worked out by the gradual operation of mind upon mind. And when the right-thinkers and the wrong-thinkers are all busy propagating their ideas and their theories, their influence respectively will depend largely upon the state of mind of those they address. With a discontented people, the wrong-thinkers are certain to be most influential, and they may therefore come to have the making of our laws. The importance of preventing any considerable discontent is obvious; and it ought to be equally obvious that the best security for capital is in cordial relations between those who possess it and those whose labor gives it satisfactory employment, and that the best protection for a state is in steadfast and remunerative industry. A condition of organized antagonism in any particular business is *prima facie* one of mutual folly; much as would be the antagonism of men to women as classes, of parents to children, of street to street in a city. Its existence is evidence that a wrong exists for which some one should find a remedy; and if one party is superior to the other in intelligence, it is upon that party that the duty to search for a remedy is specially incumbent.

It is sometimes our boast that in this country we have given to our possessions a protection that is found nowhere else; for the Government itself, even in the greatest emergencies, cannot impair the obligation of contracts, or take from the most humble citizen his property. But as the benefit of this protection is reaped by those who have possessions, the Constitution itself may come to be regarded by considerable classes as an instrument whose office is to protect the rich in the advantages they have secured over the poor, and one that should be hated for that reason. Mr. Gladstone, with the power of Parliament behind him, when landholdings are oppressive, forces better terms from the landlords; and it is not difficult to make classes that

conceive themselves oppressed believe that a government that is powerless to give such relief is unworthy their support. Then, all of us have been more or less indignant at the plunder of the national treasury in the interests of certain railroads, and at the watering of stocks upon which the public pay the dividends. But the unreflecting mind is liable to identify all corporations with those that are justly subject to complaint, or even to go further and condemn all that have capital as robbers and plunderers, because a few of the most conspicuous have been so. A charter of government that the people in some period of madness may tear to shreds is poor security, if such notions become prevalent. Property is safe when it is generally possessed, so that the people can perceive that they participate in the benefits of existing institutions; and it is not safe otherwise.

The tendency of events at this time is unmistakably in the direction of larger importance to organized labor in the management of public affairs; and this looks to a control of business by law in a manner that may threaten disaster. It is a dangerous tendency, because it falsely assumes a necessary antagonism in the interests of employer and employed; and the assumption brings about conflict where the real interests are substantially identical. Then strikes and lock-outs occur, which stagger the prosperity, not of the business merely, but of the state.

The remedy for such a state of things is not so manifest as the evils; it will never be found until employers recognize how intimately they are concerned with the welfare of those whose labor they employ, and how important it is that their relations should be on a basis satisfactory to both. In some cases this has been accomplished by giving labor some share in the control, as well as in the profits, of business; but this is not likely to become general, so as to embrace all grades of labor. In some cases, tribunals of arbitration have been established for the determination of controversies between laborers and their employers. This, to the extent that it is acted upon and made effectual, secures what is of the very highest importance in every occupation — self-rule by a government in which all who are interested participate. It may be a long time before the idea of true self-rule will be readily accepted by either side; but every instance of it is a positive gain to the state, and has a humanizing as well as an educating influence. It does some-

thing to bridge an opening chasm, and constitutes a pledge of peace for which the family of every man concerned would be surety. It should do something also toward protecting laboring classes against the kites and vultures of society, which now take advantage of labor troubles to prey upon them. And perhaps it should do even more toward giving assurance that, from the discontent and confusion of mind springing from labor controversies, and their attendant privations and suffering, nothing that is radically mischievous shall be formulated and at length put in force by our law-makers, the people.

T. M. Cooley.

THE PALACE OF THE KINGS OF TIRYNS.

THE traveler that goes from Nauplia to Argos, passes, on his right, several rocky heights that lie in close proximity to one another and stand forth like islands from the marshy ground. On the lowest and flattest of them, at a distance of hardly a mile from the gulf, is the most ancient citadel of Tiryns, now called Palæocastro, the mythic birthplace of Hercules, and the residence of many mighty legendary kings. The origin of Tiryns belongs to a remote prehistoric period. In the time of Homer, the city was very old, deprived of its autonomy, and a vassal to Argos. My excavations have proved that the palace of the ancient Tirynthian kings, which occupies the whole upper citadel, had been destroyed in prehistoric times. Its ruins lay buried in the *débris*, its site had remained uninhabited, and the ancient acropolis had stood desolate and deserted in the midst of the small and insignificant lower city that surrounded it. Nevertheless, Homer expresses his admiration of the citadel-walls by the epithet τειχιόεσσα ("walled") that he gives to Tiryns. Throughout classical antiquity, these walls were considered a marvel. Pausanias (ix., 36) places them, as a miraculous work, on a level with the Pyramids, for he says: "The Hellenes are bent on admiring foreign things much more than those they have in their own country, and thus it has occurred to ancient authors to describe minutely the Pyramids of Egypt, whilst they have not deigned to write a syllable of the treasury of Minyas (at Orchomenus), or the walls of Tiryns, which deserve the same admiration." Farther on he says (ix., 36), regarding the walls of Tiryns: "The wall, which is the only remainder of Tiryns, was built by the Cyclopes. It consists of rude stones, each of which is so large that a team of two mules cannot move even the smallest of them from the spot. The interstices are filled up with small stones in order to consolidate the large blocks still more in their position."

These stones are, on an average, about six feet six inches long, and three feet broad, and, judging by the remains, the height of the wall seems to have been about forty-eight feet.

According to Apollodorus (ii., 2, 1), Pausanias (ii., 16, 4), and Strabo (viii., 372), Prœtus, King of Tiryns, sent for the Cyclopes, seven in number, who came from Lycia to build him the walls of Tiryns. By these or other Cyclopes, according to the legend, many other similar buildings in Argolis must have been erected, and especially the walls of Mycenæ, in consequence of which Euripides ("Orestes," 965) calls the whole of Argolis the Cyclopean land, and designates the houses of Mycenæ ("Iphigenia in Tauris," 845), and Mycenæ itself ("Iphigenia in Aulis," 152, 265, 1500, 1501), as Cyclopean edifices. Tiryns is also called by Pindar (fragmenta, 642, ed. Boeckh) κυκλώπια πρόθυρα ("Cyclopean courtyard"). But it is especially remarkable that we find in Hesychius τιρύνθιον πλίνθευγα, that is to say, "the Tirynthian brick-building," for, as we shall see, this is in curious accordance with the construction of the grand prehistoric palace that I have brought to light at Tiryns.

Tiryns being near the sea, and in a plain so low that the road on the west side of the citadel is ten feet above sea-level, it makes on all travelers the impression that in classical times it must have been washed by the sea, and that the marshy tract of land that now separates the citadel from the gulf must be alluvial accession of comparatively modern date. But this is a mistake, as is proved by the Cyclopean remains of a prehistoric city and its mole on the sea-shore, about a mile and a quarter from Tiryns. It is true that the ancient port has now grown shallow, being hardly one foot deep; but it seems impossible that the ancient mole could have extended, three thousand years ago, more than three hundred feet farther into the sea than it does now. There can be no doubt that the rock of Tiryns has once been washed by the sea, but at a remote prehistoric time.

The myth of Hercules' birth at Tiryns, and of the twelve labors imposed upon him by Eurystheus, King of Mycenæ, finds its explanation in his double nature as Sun-god and hero. It is but natural that he, the strongest of all heroes, should be fabled to have been born within the most powerful walls, which were considered to be the work of supernatural giants; and as Sun-god he must have had, in the plain of Argos, at least as many sanctuaries as his successor, the prophet Elias, now has, who

ascended to heaven in a chariot of flames, and who, therefore, cannot be anything but a Sun-god, for in antiquity, as now, the marshy lowlands engendered pestilential fevers, and could only be cultivated by incessant human labor and by the beneficial influence of the sun. According to the legend, the first king of Tiryns was Prœtus, brother of Acrisius, King of Argos. Having been expelled by Acrisius, Prœtus went to Iobates, King of Lycia, whose daughter Antæa he married, and who sent with him an army, to be crowned King of Tiryns. The legend of this mythic king, whose date would be about 1400 B. C., is confirmed by Homer (Iliad, VI., 157–170), who informs us that Bellerophon of Corinth came to the court of Prœtus at Tiryns. Here he met with an adventure similar to one that befell Joseph in Egypt; for Queen Antæa fell deeply in love with the stranger, whom, as Homer says, the immortals had given beauty and graceful manly strength. Pope translates the passage thus:

"For him Antæa burned with lawless flame,
And strove to tempt him from the paths of fame:
In vain she tempted the relentless youth,
Endued with wisdom, sacred fear, and truth.
Fired at his scorn, the queen to Prœtus fled,
And begged revenge for her insulted bed:
Incensed he heard, resolving on his fate;
But hospitable laws restrained his hate.
To Lycia the devoted youth he sent,
With tablets sealed that told his dire intent.
Now, blest by ev'ry power who guards the good,
The chief arrived at Xanthus' silver flood:
There Lycia's monarch paid him honors due;
Nine days he feasted, and nine bulls he slew.
But when the tenth bright morning orient glowed,
The faithful youth his monarch's mandate showed:
The fatal tablets, till that instant sealed,
The deathful secret to the king revealed.
First, dire Chimæra's conquest was enjoined;
A mingled monster, of no mortal kind;
Behind, a dragon's fiery tail was spread;
A goat's rough body bore a lion's head;
Her pitchy nostrils flaky flames expire;
Her gaping throat emits infernal fire.
This pest he slaughtered (for he read the skies,
And trusted Heaven's informing prodigies).
Then met in arms the Solymæan crew
(Fiercest of men), and those the warrior slew.
Next the bold Amazon's whole force defied;
And conquered still, for Heaven was on his side.

Nor ended here his toils: His Lycian foes,
At his return, a treacherous ambush rose,
With leveled spears, along the winding shore;
There fell they breathless, and returned no more.
At length the monarch, with repentant grief,
Confessed the gods, and god-descended chief;
His daughter gave, the stranger to detain,
With half the honors of his ample reign."

King Prœtus was succeeded by his son, Megapenthes, who exchanged Tiryns for the kingdom of Argos with Perseus, son of Danaë and Jove, the mythic founder of Mycenæ (Pausanias, II., 16). Perseus was succeeded by his son, Electryo (Apollodorus, II., 4; Pausanias, II., 22, 8; 25, 9), father of Alcmene, the mother of Hercules, who, like his father Perseus, resided at Mycenæ. Electryo, so the legend goes, ceded Tiryns and Mycenæ to Amphitryo, son of Alcæus, and grandson of Perseus and Andromeda (Apollodorus, II., 4; Hesiod, Scut. Her. 86). Amphitryo married Alcmene, the mother of Hercules, but was expelled by his uncle Sthenelus, father of Eurystheus, who became king of Argos, Tiryns, Mycenæ, Mideia, and Heræum (Apollodorus, II., 4; Ovid, IX., 273). Hercules conquered Tiryns, and is said to have inhabited it for a long time, in consequence of which he is frequently called the Tirynthian (Pindar, Ol. XI., 40; Ovid, Met. VII., 410; Virgil, Æn. VII., 662).

In the Dorian invasion, which tradition puts eighty years after the Trojan war, Tiryns, as well as Mycenæ, Hesyæ, Mideia, and other cities, was forced to aggrandize the power of Argos and lost its autonomy. Nevertheless, Tiryns remained in the hands of her Achaic population, which, together with that of Mycenæ, sent a contingent of four hundred men to the battle of Platæa. In consequence of this patriotic action, the name of Tiryns, together with the names of the other Greek cities that had taken part in that glorious battle, was engraved on the bronze column with the golden tripod, which, as tenth part of the booty, the Spartans consecrated to the Pythian Apollo at Delphi, and which now decorates the old Hippodrome, called Maïdan, at Constantinople. The glory that Tiryns acquired hereby excited the jealousy of the Argives, who had remained neutral throughout the Persian war, and who began to consider the city a dangerous neighbor, especially so since it had fallen into the hands of their seditious slaves (Γυγνήσιοι), who main-

tained themselves for a time behind the Cyclopean walls of the citadel and dominated the land. The insurgents were defeated; but soon afterward (468 B. C.) the Argives laid the town in ruins, destroyed part of its Cyclopean wall, and forced the Tirynthians to settle at Argos. According to some, they fled to Epidaurus. But my friend, Professor J. P. Mahaffy (see the periodical "Hermathena," V.), has proved beyond doubt that the destruction of Tiryns by the Argives belongs to a remoter antiquity.

The statement by Diodorus, that Mycenæ was the last of the conquered cities that were subdued by Argos, is apparently confirmed in the Homeric catalogue of the ships (called the Bœotia), where Tiryns is mentioned as a vassal to Argos, and Mycenæ as the capital and residence of Agamemnon. But when that catalogue was composed, Argos had already conquered the whole sea-shore of the Argolic peninsula, and Mycenæ lies in the extreme south of the domain attributed to Agamemnon. The traditions were perhaps still too powerful for the poet to have dared to represent Mycenæ as a vassal to Argos; but he positively denies that Mycenæ had any hegemony whatever over the Argive plain. There is also a passage in Homer (Iliad, IV., 50-56) that seems to corroborate the hypothesis of the early destruction of Mycenæ, and to contradict categorically the stories borrowed by Diodorus and Pausanias from Ephorus. The latter seems to have been mistaken regarding King Pheidon of Argos; for, according to Theopompus and Diodorus (apud Syncel., Chr., p 262), he belongs to the ninth century B. C., which date is confirmed by the Parian chronicle. The Homeric passage, in Pope's translation, is as follows:

> "At this the goddess rolled her radiant eyes,
> Then on the Thunderer fixed them, and replies:
> Three towns are Juno's on the Grecian plains,
> More dear than all the extended earth contains—
> Mycenæ, Argos, and the Spartan wall;
> These thou may'st raze, nor I forbid their fall:
> 'Tis not in me the vengeance to remove;
> The crime's sufficient that they share my love.
> Of power superior why should I complain?
> Resent I may, but must resent in vain."

It is obvious that Homer intended to point here to the destruction of at least one of the three cities that he names, and Argos and Sparta not being destroyed, the destroyed city could

be no other than Mycenæ. The word διαπέρδαι may also point to the complete destruction of the city. If so, this Homeric passage gives us the surest proof that Mycenæ, as well as Tiryns, was destroyed in a remote antiquity; for, as mentioned before, Tiryns, at the time of Homer, had long since lost its autonomy and was vassal to Argos. Now this hypothesis, that the great destruction of Tiryns and Mycenæ took place in a remote antiquity, finds in the monuments of both cities a remarkable confirmation. On the west side the Cyclopean wall of the acropolis of Mycenæ is almost totally destroyed for a distance of forty-five feet, and on its inner side has been substituted a miserable retaining-wall of small stones with earth, which was deeply buried in the prehistoric *débris*. I further call attention to the inscription published in my work entitled "Mycenæ" (p. 129). This certainly belongs to the sixth century B. C., but it is scratched on a fragment of that varnished, lustrous-black Hellenic pottery, which is later by at least three centuries than the archaic terra cottas that we find at Tiryns and at Mycenæ by thousands on the surface of the ground.

A further proof that Tiryns and Mycenæ were destroyed in a remote prehistoric age is found in the enormous masses of knives and arrow-heads, of a very primitive form, of obsidian, and of painted Hera-idols in the form of a cow or a horned female, as well as in the innumerable terra cotta vases of primitive forms with most ancient paintings in colors. We found all these objects in vast abundance in the grand palace, which occupies the whole upper part of the Citadel of Tiryns, and consequently there can be no doubt that they were still universally used by the inmates of the palace at the time of its destruction. As a final proof, I may mention the total absence of varnished black, red, or yellow Hellenic terra cottas, of which, in spite of my most zealous researches, I have not been able to discover a single potsherd at Tiryns, either in the excavations on the upper acropolis or in those on the middle terrace.

To secure for science any light that might be obtained from ancient architectural remains, I engaged again the services of the eminent architect of the Imperial German Archæological Institute at Athens, Dr. Wm. Dörpfeld, of Berlin, who for four years had managed the technical part of the German excavations at Olympia, and who had been for five months, in 1882, my collaborator at Troy. We most carefully excavated

the whole upper and the whole middle acropolis, but dug on its lowest terrace only a large trench from south to north, and another from east to west. The walls are on an average twenty-four feet thick, but in some places in the upper acropolis forty-eight feet. They consist of large, almost unwrought blocks, which are piled on one another without any binding material. Remains of towers may be seen in several places. One tower, close to the principal entrance in the middle of the east side, is still well preserved. Its height above the wall is twenty-three feet. The wall of the upper acropolis is built in two off-sets — a lower wall that rests on the rock, and an upper wall that recedes by about twenty-six feet. The latter is provided in several places with longitudinal galleries five feet three inches broad, and twice as high, which are covered, ogive-like, with horizontally overlapping stones. Several doors, which have likewise an ogive-like form, lead from these galleries to the terrace of the projecting lower wall. The galleries were, consequently, intended to afford to the defenders of the lower wall a refuge, from which they could rapidly reach the parapet.

In one part of the acropolis there are on the top of the wall four bases of columns *in situ*, which seems to prove that there was on the wall, all around the citadel, a roofed passage, such as a well known Athenian inscription proves to have existed on the city wall of Athens. This Tirynthian passage on the outside probably consisted of a wall of raw bricks, pierced by numerous hatchways, and on the inside — that is to say, toward the citadel — of wooden columns. In the Athenian wall these hatchways were shut with wooden lids. That the exterior wall of this hall consisted of raw bricks of clay, is proved by the masses of *débris* of half-baked bricks with which the plateau of the lower wall is covered.

The principal entrance to the acropolis was on the eastern side, close to the above-mentioned great tower. An enormous rampart, fourteen feet eight inches broad, along the great fortification-wall, led up to the citadel. To the right, in ascending, stood the great tower, so that the assailants had to expose to the defenders their right side, which was unprotected by the shield. There must have been a special portal at the spot where the rampart reaches the level of the middle wall; but no gate-posts, properly speaking, remain there *in situ*. At this point the road branches on the right side to the middle and the lower citadel,

while to the left another road, which is still encompassed by high walls, leads to the upper citadel. Having removed the tremendous masses of *débris* and huge stones that obstructed this latter road, we struck, at a distance of fifteen yards from the great tower, the principal gate of the upper citadel. It is formed by two huge uprights, ten and a half feet high, three feet broad, and four and a half feet deep, and has a breadth of nine feet three inches. It was shut by two wooden wings. The holes in which the door-hinges turned are still preserved in the threshold; and in the two uprights are holes, six inches in diameter, for the large wooden bolt or cross-bar, by which the gate was fastened. The upper lintel, which spanned the two uprights, is not preserved. The structure of this gate resembles very much that of the Lions' Gate at Mycenæ. A steep road leads from the gate, along the inside of the eastern exterior wall, to the upper acropolis. Here it enlarges and forms a sort of court-yard, having on its western side a vast propylæum, which again shuts up the acropolis. It consists, on the east side, of a vestibulum formed by two columns between two parastades or antæ. On the west side is a similar back hall. The partition-wall between the two halls contains the great door, which was also closed by two wings. The holes of the door-hinges are still preserved in the huge threshold. On the western side of the propylæum was a court-yard, on the northern side of which open two chambers.

Unfortunately we are unable to determine with certainty what buildings there were on the southern side of this court, for a small church was erected here in the Byzantine time, and for this purpose the remains of the ancient palace were destroyed. Around the church, as well as inside of it, we found numerous tombs, all of which faced to the east. The foundations of the church were covered up by a modern thrashing-floor, which measured thirty-three feet in diameter. A corridor, four feet six inches broad, ascended from the propylæum to the inner apartments of the palace; but the chief entrance was by a second propylæum, by which one came to the principal court. This propylæum is on the same plan as the first, but smaller. The court is surrounded by large covered porticoes, and there is an altar in the midst of the south side, near the small propylæum. In the "Odyssey" (XXII., 335, 336) we read of a similar altar in the court of the palace of Ulysses, which was

sacred to Zeus. The whole floor of the court, forty-two feet broad by fifty-five feet long, consists of a sort of mosaic of lime and small pebbles about an inch thick, which explains the τυκτὸν δάπεδον ("beaten floor") in the palace of Ulysses. A similar floor may be seen in all the apartments and courts of the Tirynthian palace.

In front of the altar, on the northern side of the court, is the principal hall of the palace. It consists of a vestibulum, which opens on the court with two columns between two parastades; of a second fore-room, which is joined to the vestibulum by three doors, each of which had two wings; and of the saloon proper. This latter is thirty-one feet broad by thirty-nine feet long, and contains in the midst four columns, which supported the ceiling. Between the columns, in the floor, is a large circle, about ten feet in diameter, whose use is unknown to us. The mosaic floor of the principal hall is divided by incised lines into squares, and still shows in many places traces of the red painting with which it was adorned. Traces of a similar painting may be seen also on the floor of the great court and on that of several smaller rooms.

A side door leads from the fore-room, in a westerly direction, into several corridors and small rooms, among which the bath-room is the most remarkable. The floor of this chamber, which is ten feet square, consists of one single block of blue limestone about two feet two inches thick. Along the walls, on all four sides of this bath-room, may be seen, in the border of the large stone, bored holes, which probably served for fastening a wooden lining to the walls. On the eastern side a gutter is cut out in the stone, which carried off the water; its continuation, as an underground channel, may be seen below several rooms. To this bath-room no doubt belonged the bathing-tub of terra cotta ornamented with spirals, of which a large fragment has been found. On the eastern side of the principal hall, around a second, smaller court, are grouped several rooms, probably the apartments of the women, while the large hall, with the large court and the adjoining chambers, may have been the habitation of the men. The smaller court has porticoes on two sides. The rooms communicate with one another, either directly by doors, or by corridors. The above-mentioned corridor also leads from the propylæum to the smaller court. Owing to repeated restorations, the original plan of the rooms on the eastern side of this corridor cannot be distinctly recognized. We recognize some restorations

in other parts of the palace; but there cannot be the slightest doubt that the whole palace, with all its principal halls and rooms, was built contemporaneously with the great citadel-walls, for the pottery found in the palace shows a striking similarity to the most ancient vases found by me in the royal sepulchres at Mycenæ. Precisely the same Mycenian ornamentation we find in the wall-paintings of the palace, which must therefore belong to the same heroic age.

The foundations of the palace-walls rest on the rock about ten feet below the floor, and consist of larger and smaller unwrought quarry-stones, which are joined without any binding material. The lower parts of the palace-walls, which are preserved to a height of eighteen inches to three feet, consist of quarry-stones bonded with clay. The missing upper parts of the palace-walls consisted partly of the same material, and partly of sun-dried bricks, precisely like all the large buildings of the Pergamos of Troy. The masses of quarry-stones and of half-baked or thoroughly baked bricks, with which all the rooms of the palace were filled, leave no doubt in this respect. The external sides of the walls were first covered with a coating of clay, which was covered with a coating of chalk. This latter shows in a great many places, still *in situ*, traces of the paintings with which it was covered. But well preserved colors may be seen on a vast number of pieces of the coating, which had fallen from the walls, and which we found within the palace. The wall-paintings are in five colors — red, yellow, black, white, and blue — and exhibit for the most part an ornamentation that is already known to us from the Mycenian period. So, for instance, the ornamentation of the marvelous sculptured ceiling of the thalamos in the treasury at Orchomenus, as well as ornaments of Mycenian vases, and of objects found in the dome-like sepulchre of Menidi, occur almost without alteration in the wall-paintings of the palace at Tiryns. On the other hand, we find among them no Greek ornaments whatever of the classical time. We also see in the wall-paintings figural representations — a bull, on which a man dances like an equestrian performer, and large fragments representing wings or sea-animals.

The magnificence of the palace is also shown by the vast number of sculptured ornaments found by us in its ruins. Besides plain spiral ornaments of a green stone, a frieze of alabaster, which resembles a Doric triglyph-frieze, deserves

particular attention. The triglyphs are decorated with small rosettes, the metopes with palmettes and spirals. The most remarkable thing is, that this frieze is ornamented all over with many hundred pieces of blue glass. These are half an inch to an inch long, partly quadrangular and partly round. We also found in the large court a Doric capital of porous stone, which shows a very ancient style, and has sixteen flutings.

The masses of charcoal, burned bricks, and calcined stones prove that the palace was destroyed by fire. The walls have suffered most near the doors, for the thick wooden posts of the door-frames, and the wooden door-wings, gave abundant food to the flames. The quarry-stones of the walls are burnt to lime. The clay with which they were cemented has become a solid terra cotta, in consequence of which we experienced the very greatest difficulty in cutting away these wall-fragments with pickaxes. The fire was the more violent as nearly all the columns of the palace consisted of wood; only the bases were of stone, and they also show the traces of the great fire. The upper parts of the building fell in the catastrophe, and the whole palace thus became a great heap of ruins.

The hill remained in this condition for nearly three thousand years; only at the southern extremity of the citadel, as before mentioned, was built in the Byzantine time a chapel, and the whole southern part of the acropolis was converted into a cemetery. There was already a settlement on the rock of Tiryns before the palace and the great walls were built. In one of the excavations, in the middle acropolis, we struck, about sixteen feet below the floor of the upper citadel, a chamber whose walls consisted of quarry-stones and clay, and whose floor was of beaten clay. The chamber was filled with red brick *débris* and charcoal, among which we found a great deal of hand-made monochromatic pottery, very similar in fabric, form, and general appearance to the terra cottas found by me in the two most ancient cities of Troy. Here are the very same lustrous black, yellow, red, and brown vases, with vertically perforated excrescences on the sides. But now and then we also find, in these remains of the first Tirynthian settlement, hand-made vases with rudely painted stripes, the borders of which are generally diffused and rarely well defined. The vases of a dead black color with white bands, and the green ones with black stripes, deserve particular attention.

In the excavations on the middle terrace came to light, at various heights, narrow walls of quarry-stones and clay, the plan of which we have not been able to make out. They must belong to offices and outhouses, which were badly built and therefore had to be often renewed or restored. This would partly explain the greater accumulation of *débris*, which has here in some places a depth of twenty feet. This middle terrace is separated by a powerful retaining-wall from the lower acropolis, which extends to the north. In the lower acropolis we excavated, diagonally and longitudinally, two large trenches down to the rock, and struck there also the foundations of several buildings. The accumulation of *débris* is there ten feet deep, but in some places the rock is visible above ground.

In examining the plan of the acropolis of Tiryns, two questions will suggest themselves to the reader: first, where the people lived whose kings had their sumptuous palace on the upper citadel, and probably their outhouses and offices on the middle and lower terraces of the fortress; and, secondly, where the sepulchres of the kings may be looked for? In the numerous shafts that I sank in all directions in the low table-land around the acropolis, I found in the upper layers nothing but varnished Hellenic pottery, and in the lower strata the very same archaic terra cottas as in the citadel, together with large masses of burned brick *débris*. Consequently there can be no doubt that the lower city extended around the acropolis, or that it existed for a long number of centuries after the destruction of the royal palace, which was never rebuilt, and whose site remained for ever a desert. The Tirynthian bronze coins, which have on one side an Apollo head with a diadem, on the other side a palm-tree with the legend TIPΥΝΣ, which are for the most part of the fifth century B. C., but seem to belong to the Macedonian time, make it highly probable that the lower city existed until the end of the fourth century B. C.

Regarding the tombs of the ancient kings of Tiryns, there is not a stone above ground that suggests their existence in the immediate neighborhood of Tiryns. I think, therefore, they may be looked for in the caverns that Strabo (VIII., 368) mentions at Nauplia. He says: "Close to Nauplia are caverns, and labyrinths are built in them, which are called the Cyclopean [buildings]." But as no trace of such caverns, with or without labyrinths, can be seen in or near Nauplia, I suppose they exist

in the western slope of the acropolis-rock of Nauplia, and are covered up by the houses of the modern town. I put my opinion here on record, leaving it to a future generation to profit by my suggestion; for the present, there is nothing to be done.

My excavations at Troy have proved that not only the great walls, but also the two temples and all the other large buildings of the Pergamos, consisted of sun-dried bricks; that a similar material was used for the palace of the kings of Mycenæ is proved by the masses of *débris* of bricks within and near the large foundations on the top of the acropolis-rock. The immense masses of *débris* of bricks that I found in my excavations at the Bœotian Orchomenus point to a similar building material for that royal city. Again, my present excavations at Tiryns have furnished evidence that the palace of the ancient kings of that city consisted chiefly of sun-dried bricks. It appears, therefore, that in a remote antiquity all the principal buildings were of this material. But Vitruvius proves that this mode of construction was still in use in classic times, for he cites (II., 8, par. 9, 10) a whole series of grand buildings that had been made of raw bricks; as, for instance, part of the city wall of Athens, the temple of Jupiter and Hercules at Patræ, the palace of the Attalian kings at Tralles, and the palace of Crœsus at Sardis, which was still intact in the time of Vitruvius, and which, as he says, the Sardians had dedicated to their fellow-citizens as a place of repose in the leisure hours of old age, and as a gerusia for the council of the elders. Vitruvius says:

"Farther on, at Halicarnassus, the palace of the most powerful king Mausolus — though everything in it is ornamented with Proconnesian marble — has walls made of raw bricks, which show unto the present time a wonderful solidity, and which are smoothed and polished in such a manner that they seem to have the perviousness of glass to light. And that king did not do it for want of means, for he reigned over all Caria, and had immense revenues."

I hope that my excavations at Tiryns may be of some profit to science, for once we could not boast of knowing the plan of the smallest Greek house, whilst we possess now an excellent plan of the palace of the mighty legendary kings of Tiryns, a palace contemporaneous with its gigantic Cyclopean walls, which have always been considered the most ancient structures

preserved to us from the heroic age of Greece. Besides the wall-paintings in the Etruscan tombs and small remains in and near Rome, the wall-paintings of Herculaneum and Pompeii were hitherto the oldest we had, while now we possess a vast number of beautiful, highly interesting wall-paintings of the second millennium B. C., nay, of the legendary heroic age. I also dare to hope that the masses of wonderful pottery found in the palace, which more than the architecture shows us the degree of civilization of its inmates, will be of some interest to science.

HENRY SCHLIEMANN.

NOTES ON RAILWAY MANAGEMENT.

For many years after Stephenson had demonstrated the practicability of operating a train of railway cars, public sentiment in England was adverse to the extension of the system, and a Mr. Berkeley, the "intelligent" member of Parliament for Cheltenham, strongly expressed the views of his class when, at a public meeting held in that town, he wished "that the concoctors of every such scheme were at rest in Paradise." Many of our leading railway managers in this country doubtless have at times, during the past twenty years, shared to a certain extent in this wish, and, when oppressed with the cares and anxieties of their offices, earnestly wished that they might find rest in a similar place. If the knowledge necessary to an economical construction of these important arteries of commerce was as unusual as has been shown, what wonder that no better comprehension of the subject of their management should have existed. Although the early projectors of our railways appear to have been prompted by every good intention, and to have manifested a disposition to administer their trust prudently and honestly, yet having no precedent to govern, or proper system of accounts, or arrangement of statistics to guide them, they were uncertain of results, and scarcely able to determine just where the construction account ended and the operation account began. It appears to have been a period of good-natured indifference to realities, with an accompanying condition of disorder, of which they seemed unconscious.

The annual reports made between 1835 and 1860 were a fair index of the condition of things during that period, and were exceedingly hopeful as to future prospects. No "earth-born cloud" seems to have arisen to dim their vision or disturb their faith. It was a period of great expectations, coupled with intense enthusiasm. In the efforts to show large net re-

sults from operation, there was a disposition to charge everything possible to capital account. This, of course, increased the amount of annual "fixed charges" to be met by net revenue, which were drafts upon future resources. After these fallacies became apparent, and default in interest began, the difficulty was intensified by the efforts of reorganization committees, who, instead of allowing the earlier mortgages to be foreclosed, and thus placing the properties upon a paying basis, attempted to keep alive the junior mortgages. This necessitated new issues, representing not only the principal of the latter, but their accumulated interest, thus increasing a burden already too great for the earning capacity of the line. In many instances the effect of overloading them with debt was to place them at last, in an impaired condition, in the hands of the first-mortgage holders, to the extinguishment of all other equities. Thus it will be seen that an inherent defect in the system was in the attempt to carry out these enterprises with borrowed money. A fully paid-up share capital, which should have been the basis of their transactions, seems to have been considered a matter of secondary importance; though there were some exceptions to this.

Our roads were for the most part constructed from the proceeds of mortgage bonds, most of which were negotiated in London and Amsterdam. It has often been a matter of surprise to people on this side of the water, that so much confidence was placed in securities of this character; it would seem that the price at which they were generally offered, and the exorbitant rate of interest they promised, must tend to discredit them; but their negotiation was stimulated by the payment to foreign bankers of large commissions, which prompted them to recommend in too high terms, perhaps, a class of securities that could not otherwise be readily disposed of. And then, too, it must be borne in mind that in 1861 foreign capitalists purchased the bonds of the United States Government at a much larger discount than most of the bonds in question were offered at, and that they afterward received full payment at par. Remembering this, and having even greater confidence in the resources of this country than its own people had, they were justified in the belief that these railroad bonds would be paid in full.

Many of the railways suffered from the mistakes and miscalculations of their engineers in estimating their original cost; but many of these mistakes were due to causes beyond the range

of human foresight. Statistics show that in scarcely a single instance between 1840 and 1870, and even in later years, was a sufficiently liberal estimate made to provide for the cost of a properly finished road-bed with necessary equipment. In justice to the engineers, it must be noted that, although the sole responsibility for the work was placed upon them, they were often hampered by suggestions and instructions from those who were not familiar with the work, and whose chief anxiety was to present as low an estimate of cost as possible, in order to encourage investments in the enterprise. As the work progressed, these fallacies became apparent; and when the last rail was laid, amid strains of music and firing of cannon, and the road was reported as complete, it was too often found, after the excursionists had returned to their homes, that more money was needed, and the "ground floor" offered no special advantage.

The nine months preceding the panic of 1873 had been very profitable to the railroad companies; their earnings and tonnage were largely in excess of any previous period in their history, and their expenses had not increased in a corresponding ratio. They had been sailing along on a sea of prosperity that they had come to regard as a permanence. No aggressive action had as yet been taken by the State authorities. Had the lines that were completed and in running order prior to this properly husbanded their resources, they would have found no difficulty in weathering the financial storm that was about to break upon them with such fury; but they had been "burning the candle at both ends," and instead of holding in reserve a portion of their easily acquired earnings, they had been spending money with a lavish hand.

The ease with which charters for railways had been obtained not only stimulated their construction (oftentimes at points where they were not needed), but prompted many irresponsible men to engage in these enterprises, who were ignorant of the practical management of railways, and had neither the ability nor the intention to operate them. The aid of towns and counties was invoked, under promises that could not be fulfilled, and securities were voted in return, the payment of which it was impossible for them to meet, and these were sold at any sacrifice to secure money. Such issues at best were a delusion, for even when they were given in good faith, so much was expected in return as to make their acceptance of doubtful propriety. These things

brought discredit upon the whole system, and aroused a spirit of antagonism that led to the Granger movement, the promoters of which suddenly seemed to regard the railways as the chief enemy of the producer. Their action took the form of fierce denunciation and unreasonable demand, in which politicians took a most earnest interest, and "thereout sucked they no small advantage." This movement was doubtless largely instrumental in precipitating the panic of 1873, the real cause of which, however, may be summed up in few words: the nineteen thousand miles of railway that had been constructed in the three years preceding was in advance of the country's development. The report of the committee of the House of Representatives on the Credit Mobilier transactions was made in the spring of this year; and probably nothing ever occurred in the history of railroad construction to shake the confidence of capitalists more than the revelations brought about by the investigation of the affairs of that company. Railway construction culminated that year, and more than seventy American railways defaulted in their interest, bringing ruin to thousands on both sides of the water. This of course put a check upon all new enterprises.

Following close upon the heels of this calamity came hostile legislation in many of the States. Boards of commissioners were appointed, who, through ignorance of their duties, acted in some instances with great unfairness toward the railways, disregarding not only the sacredness of vested rights, but the regulations of the common laws of trade. The tone of the press toward the railways at this time was for the most part extremely bitter, as well as the course of the politicians, who, in their attempt to ride into power, sent up with lusty voices the cry of "Monopoly!" Railway managers stood aghast, and for a while it seemed as though there was "none so poor to do them reverence." The courts were appealed to, and the decision of the United States Supreme Court, though only partial and evasive, upon the question, has probably for the time being put a quietus upon charter-contract litigation. Contemporaneously with the action of the several States, the General Government took up the consideration of interstate railway regulation. In 1873, Mr. McCrary, of Iowa, introduced a bill in the House of Representatives, which passed that body, but failed in the Senate. Senator Dorsey afterward introduced a bill embodying the views of Charles Francis Adams, which was referred, conjointly with the

McCrary bill, to the select committee on transportation. The plan of this bill was, to organize a commission, or bureau, in the Department of the Interior, whose duty it should be to collect statistics and information on every point connected with the management of the railways. It was also to investigate all complaints against inter-State railways. In 1878, Mr. Reagan's bill (now somewhat famous) was introduced and referred to the same committee. Various conferences were held from time to time between this committee and the representatives of the railways; and it must be admitted that the argument presented on behalf of the latter, by such men as Albert Fink and George R. Blanchard, was, as Captain Corcoran would say, "simply unanswerable." They endeavored to show (to quote from the first annual report of the Massachusetts Railway Commissioners, made in 1870) "the utter futility of any legislation which partakes rather of the nature of force than of an educated and reflected public opinion." No law embodying such an indefinite command as that which requires the railways to charge only a "reasonable" rate, can ever be made effective. The operations of the railways are governed by ever-varying circumstances, and no specific answer can be returned to the question as to what constitutes such a rate.

Between 1868 and 1872, what are commonly known as the "trunk lines" began to assume more formidable proportions. The Lake Shore passed under the control of the Vanderbilts, and the Hudson River and New York Central were consolidated. In 1869 the Pennsylvania Central leased the Pittsburg and Fort Wayne road, thus completing its line to Chicago. The Erie was as yet without a direct connection with Chicago, but was nevertheless in an independent position with reference to the trunk lines. The Grand Trunk did not secure its own connections with Chicago until 1879, though it had for a long time, by reason of its connections, occupied a prominent position. In 1874 the Baltimore and Ohio Railroad extended its system to Chicago, which of course aroused the jealousy of its rivals, as it had a shorter route to the sea-board. Its demand for a differential rate, early in 1876, was the signal for a railroad war that for bitterness of feeling has never been equaled. Rates to the east fell to a point very much below the cost of transportation. Grain was carried, during the season of navigation, by the Baltimore and Ohio road to Baltimore, both from St. Louis and from Chicago, at ten cents

per hundred pounds, thus compelling its competitors to carry at the same rate to New York, Boston, and Philadelphia; and even out of this an arbitrary deduction of a cent and a half per hundred pounds, for terminal charges, had to be made. Lake shipping, though offering the lowest rates known in the history of lake navigation, could not secure the tonnage. In that year the shipments of corn alone, by rail, were 17,217,520 bushels, exceeding in volume the aggregate of the preceding five years. To add to the complication, on the 4th of March in this year (1876) the jetties at the mouth of the Mississippi were opened, which gave a new impetus to exportations via New Orleans, and a large quantity of grain was shipped in barges from St. Louis to that point.

In June, 1877, Albert Fink was appointed commissioner for the four trunk lines, and for seven successive years he has been able to accomplish, in the way of amicable adjustment of difficulties of the most intricate character, that which few men probably could have succeeded in doing. The effort of these lines to secure a large through traffic at extremely low rates, to the partial neglect of local traffic at compensating rates, proved detrimental to their best interests, and probably did more to intensify public opinion against them than anything else that occurred. What is known as "through business" is undoubtedly moved at a lower percentage of operation expenses, these being reduced in proportion to the distance the freight is carried; but it is questionable whether the best interest of a railway lies in the direction of encouraging this class of traffic, which has been built up upon a false theory as to the cost of carrying freight per ton per mile. It is doubtful whether this one important item that enters so prominently into the economy of railway management has been, or ever can be, definitely determined. It varies materially upon different lines, according to their physical condition, character of gradients, cost of labor and supplies, geographical location, direction of traffic, and numerous other circumstances. A railway that can secure an equal amount of traffic in each direction, can of course show the best results.

Nor has the ratio of expenses to gross earnings, for freight and passenger business separately, ever been definitely determined; it cannot be, except by having a separate force of men for each department, and separate tracks for the accommodation of the trains of each class. The ratio of passenger expenses, however, is known to be very much greater than that of freight.

The railways for the most part have divided up their earnings too closely. If, for instance, eight per cent. be earned in any one year upon the share capital, over and above all fixed charges, prudence would dictate that the shareholders be paid six per cent. of this, and that the remaining two per cent. be held as a reserve fund, applicable either to the improvement of the property, or to the reduction of its debt. By this means the property would be maintained in a good condition, and every permanent shareholder would be benefited. The neglect to make proper provision for depreciation, after the construction account has been closed, has proved a serious defect in the American railway system. But the difficulty with which a board of directors of a dividend-paying road often has to contend is, in resisting the clamorous demand of the temporary shareholder for a distribution of the entire net revenue of the line for the year. Speculators that buy on the strength of a prosperous year's business, and have no interest in the property beyond the result of that year, naturally demand all that has been earned.

Another evil of our system is the practice of admitting members of stock exchanges into its directories. A stock-broker occupying such a position enjoys, of course, immense advantages over his brother broker, and usually he is not slow to avail himself of them. I presume I shall hardly be charged with uttering a slander if I assert that stock-brokers, as a class, do not make efficient railway managers; and yet it is no uncommon thing to find this class acting as directors, and controlling the policy of roads over which they have never traveled, and concerning which they are ignorant both of the resources of the country through which they pass, and the wants of their patrons. I will not say that all such men are unscrupulous and designing, but it is well known that many have sought the position of director for the express purpose of gaining an opportunity of speculating upon the fortunes or misfortunes of the company, and to accomplish their object they have obtained (sometimes by very questionable means) the proxies of confiding shareholders whose interest they are supposed to protect. It has frequently occurred that proxies given without proper consideration as to the manner of their use, have been used entirely contrary to the wishes of the shareholders granting them.

But for this abuse of confidence, the shareholders themselves, in the readiness with which they grant such favors, are largely responsible. Under no circumstances should a proxy be executed in favor of an officer or a director of a company that will enable him to vote upon it in approval of his own acts, or to perpetuate his own power. One of the great difficulties in the way of successful administration of corporate trusts in this country, lies in the fact that the boards of directors of many of our large companies reside from one thousand to three thousand miles distant from the active operations of the line they represent, and, though they may be governed by the highest motives, it is practically impossible for them to comprehend the wants of the line at such a distance.

Another difficulty is, that the shareholders are so scattered over the world that it is difficult for them to act in unison, even when measures of vital importance to their interest are presented; hence they are compelled to depend upon the judgment of others. The remedy for this, in a measure, is for every company to have a local board, resident upon or near the line of the road. This board should be composed in part of representatives of the foreign shareholders. They should be required to keep themselves well informed as to the plans of the company, the prospects for business, and all other matters of interest to the shareholders, who should be properly advised of these things at least once a month. By such a board, clothed with authority, and acting with intelligence, the interests of the shareholders would be infinitely better protected than they are under the present cumbersome system. All directors should be paid a salary, covering a certain percentage of, and dependent upon, the net earnings of the line. Directors occupy the position of trustees, and it is one of immense responsibility; their duty is to protect the interest of those who have confided that trust to them, and the shareholders have no right to expect that they will give their time and services gratuitously.

One evil that has been commented upon very freely, now happily bids fair to be removed from the railway system of this country, viz., the organizations known as "fast freight lines," having an existence, as well as an authority, independent of the railway whose tracks they occupy. Originally they were intended as a convenience to shippers; but, owing to the complication they engendered, they gradually developed into an evil,

and the evil is likely to correct itself. In some instances the spectacle was presented of several of these lines connected with one through route, competing not only with one another for freight, but actually bidding against the very railways that tolerated them upon their lines. The gradual abolishment of these fast freight lines is a step in the right direction.

The plan of adding unproductive lateral lines to an already established system, merely for the purpose of reducing the average cost per mile of road, is not likely to be continued. While it is true that by this method the average cost per mile, as represented by the funded debt, was reduced, it is equally true that the net result from the operation of the line, consequent upon the increased fixed charges to which it was subjected by the addition of unproductive mileage, was decreased. The ability to manage must be the limit of mileage, and the five-thousand-mile systems of railway, like the ten-story flats, are as yet only an experiment.

The establishment and maintenance of large and expensive manufacturing works by railway companies is, I believe, likely to be discontinued. Railway companies were not organized for the purpose of manufacturing, but for the special object of transporting merchandise and passengers. This is their particular business, and to this end the efforts of their managers should be specially directed. A manager charged with the care and responsibility of a railway cannot afford to have his attention diverted from his legitimate vocation; he has, in fact, little or no time to give to the supervision of a manufactory. In the early history of railways, before large and reliable establishments for manufacturing railway equipment and supplies existed, there was doubtless a necessity for each company to control its own manufactures in order to ensure thorough workmanship and proper materials; but with the facilities now offered throughout the United States by organizations incorporated for the express purpose of furnishing the railway companies with rolling-stock and other supplies, there seems to be no longer any necessity for the railways to maintain such extensive shops; smaller shops, with largely reduced forces, are all that would seem to be required for ordinary repairs. Before the war of the rebellion almost every sugar-planter in the South considered it necessary to maintain a mill on his plantation to grind his own cane. It would have been as reasonable to expect

that every farmer in the North should have his own grist-mill to turn his grain into flour. At present, in the South, under the new order of things, one sugar-mill accommodates several plantations. And so in regard to the railways; even one repair shop, conveniently located, might be made to answer the requirements of two or three lines; and in this way, by a kind of coöperative system, the cost of even running repairs could be reduced to a minimum. But as regards new work, there can be no question that it can be done now as effectually, with greater facility, and at less cost, outside of the average railway car-shops. I know this does not harmonize with the views entertained by the master mechanics and master car-builders; it is quite natural that it should not; but when the question of feasibility comes to be determined in the interest of the shareholders, I do not imagine that these gentlemen will be consulted. The practical effect of the railways employing some such outside agency would be to reduce materially their working force, and in this way diminish the labors and anxieties of their managers. Nearly one-fourth of the entire force of employés on our large railways are engaged in manufacturing and repairing, and in most cases they labor under great disadvantages, and are subjected to great inconveniences, both by reason of the disposition of their forces and the character of the tools and appliances.

Taking into consideration the average condition of the road-beds of our railways, too high a rate of speed has been attempted, both for passenger and freight trains. Somebody has said that if two trains were about to start for a certain place, one of them by a route known to be perfectly safe, but on slow time, and the other by a route necessitating the crossing of a trestle over one corner of the infernal regions, the average passenger would prefer the latter route. The engineers themselves, with their lives in their hands, often assume the most imprudent risks. Increased speed involves, of course, increased friction, and consequent wear and tear to both rolling-stock and track. Fast trains are undoubtedly a great convenience to the traveling public, who would hardly be content to have them discontinued; but they are expensive for the railroad companies, and the small additional charge in the rate of fare does not compensate for the extra cost of running them. The ordinary passenger does not understand these things, and probably does not care to, and as he glides along at the rate of fifty miles an

hour, he blandly inquires of the conductor, "When is your company going to reduce the fares?" Estimating fifty cents per mile as the cost per train mile, it costs in round numbers five hundred dollars for each trip between Chicago and New York. One train each way for the three lines would make 2190 trips, costing $1,095,000 as the annual expense to the railways. It is extremely doubtful whether any corresponding net result is obtained. Passenger fares, at best, are too low. Through the introduction of various improvements, and the reduced cost of some materials, the expense of operating has been very materially reduced; but the reduction in rates for transportation has been in greater ratio than the reduction in expenses justified. The percentage of passenger expenses is greater than that of freight. These facts, I think, have not been appreciated by the traveling public. Economical measures for the time being are exhausted, and expenses have been reduced to a minimum. In 1850, when a passenger rode from New York to Chicago, sitting up two nights in an ordinary, not over-cleanly, and illy ventilated car, and arrived perhaps five hours late, he was tolerably well satisfied. Now, if after riding twenty-seven hours in an elegant coach, he should by any chance happen to have his trip extended two hours, he will expect a rebate in his fare.

Considering the wholesale denunciation that has been indulged in against the leading railway managers of this country (much of it undeserved), it is refreshing to contemplate the fact, that the number that have brought discredit upon the system is, in comparison with the whole number engaged, exceedingly limited. A few men possessing little or no knowledge of practical management, have obtained the control of some great railway system, and assumed a responsibility for which they were fitted neither by education nor by experience. When such men have retired at the end of a few years, with a wealth of several millions of dollars, it has naturally aroused suspicions of irregularity. It would be conferring no benefit upon the railway system of this country to attempt to shield the conduct of such men; it would have been far better if their actions had been more mercilessly exposed at the outset; but the railway system is not to be judged by any such standard as these few exceptions present, and my remarks are designed to have an exceedingly limited application, and are not intended to reflect in any manner upon the active managers of our railways, who, as a class,

are as thoroughly honest and conscientious a body of men as can be found in any branch of commercial life.

The great advantages possessed by the older lines are in their right of way, and terminal facilities, in and through the larger cities. The volume of business that a railway can command is often governed, not by capacity of rolling-stock, but by its ability to handle freight at important terminals. This fact is daily becoming more fully appreciated as the necessity for these facilities becomes apparent. The neglect of some of the larger lines to provide proper terminal and local accommodations at important railway points, has proved serious, and of course the difficulty will increase from year to year; the cost of supplying them will be greater, and the possibility of securing them will be more remote. For this reason alone it is not probable that any more trunk lines will be constructed between Chicago and New York.

The cost of terminal facilities to any new through line would approximate one-third of the entire cost of the line. The three most valuable, as well as most convenient, terminals in this country are those of the Pennsylvania Central in Philadelphia, the New York Central in New York, and the Illinois Central in Chicago. Imagine any of these lines making application at this late day for the right of way into the hearts of these great cities. With what success would they meet? The early managers of these lines were far-sighted, and secured what they regarded prospectively as necessary accommodations. Certainly some credit is due them for this sagacity, and they should be allowed to place upon these advantages a just present value. It is practically impossible for any new line constructed at this late day to compete successfully with lines enjoying such extraordinary advantages. Sooner or later all the railways, except the tunnel routes, entering the large cities, will be compelled to adopt the elevated system. The necessity for this will become more apparent as the population of these places increases; the longer the work is postponed, the more expensive it will prove, but the event is inevitable. And to none will the work prove more advantageous than to the railways, giving them advantages both as regards speed and safety, as well as economy of operation, that can be secured in no other way.

Most of the difficulties that have surrounded the railways in the past may be attributed either to causes inherent in the

system or to the irregularities of those that have secured temporary control of them. The embarrassments with which they will have to contend in the future, it appears to me, will be of a somewhat different nature, though to a certain extent growing out of past evils. Some of these may be stated as follows:

First. The burden of unproductive branches that they have acquired by lease, purchase, or construction, which do not earn enough to pay their fixed charges.

Second. Oppressive legislation. If any one doubts that there is danger from this source, let him examine the calendar of any of our State legislative bodies after they have been in session a few weeks, and note the number of bills that are hostile to the interests of railways. Each member appears to regard it as a solemn duty to his constituents to introduce at least one bill of this character during a session; and the extent to which this warfare has been carried on does not argue well for the future.

Third. The hostility of the press, which, in its strife for popularity with producers, shippers, and politicians, evinces a disposition to magnify every little evil in the system, and ridicule every effort in the direction of reform, by which course it practically encourages the communistic tendencies of the age. In the discussion of the difficult problem of railway transportation, which has been carried on through the press during the past fifteen years, the railways have not been allowed a fair presentation of their case; and even in courts of justice they have had to encounter much judicial prejudice engendered by the press in its uncandid statements of fact. The railway papers have striven faithfully to overcome the prejudices excited against the great interest they represent; but the general public do not read these papers, and therefore their efforts, read only by the railway officials, are like sermons to the converted. A statement published in the last number of "Poor's Manual," does great injustice to the railway interest of this country. It says that "stocks and bonds to the amount of $530,132,000 were listed at the New York Stock Exchange in 1883, ... equivalent to about $80,000 per mile of new road built during the year." And then it adds, by way of explanation, "A considerable amount, however, of the securities listed was on account of old works." After explaining how so large an amount came to be listed, and what a large portion it really represented, the "Manual" proceeds to say: "It is in this immense increase of

fictitious capital that is to be found the cause of the general distrust which prevails." The simple fact is, that the amount of bonds listed in any one year bears no relation whatever to the number of miles of road constructed during that year. An editorial was published in the Chicago "Evening Journal" a few weeks since, founded upon Mr. Poor's statement of the cost of the roads of this country, from which the following is an extract:

> "If the roads had cost only what it would cost now to build them, only one-half as much net earnings would be required to pay interest and dividend charges, and their rates for passengers and freight might be reduced in proportion."

While it is true that many items that enter into the cost of construction of a railway are to-day lower in price than they were a few years since, nothing like the reduction implied has taken place. If the remark applies at all, it would only apply to such lines as were constructed between 1869 and 1873. Many of the older lines could not be duplicated for double the sum they cost, and these constitute a large portion of the mileage of the country. But in this statement the writer entirely ignores a most important fact, viz., that the railways for the most part are not able, and do not attempt, on the basis of the present tariff, to pay any dividend or interest on a very large portion of the nominal capital referred to by Mr. Poor, and could not if they wished. Transportation charges are not based upon cost or value of road, but upon cost of carrying, and are regulated by that inexorable law of trade known as competition.

Fourth. Increase of freight earnings, with a disproportionate increase in tonnage moved, showing that a larger amount of freight is being carried at lower rates. This is a noticeable feature in the annual reports of many of our large railways, published during the past three years, and indicates a general shrinkage in rates.

Fifth. The increase of operation expenses disproportionate to that of gross earnings, shows that the additional business is done without profit; or, in other words, it shows that the operating expenses have been brought down as low as possible. Forces have been reduced wherever it was practicable to do so; but until some reduction can be effected in the prices of labor (and this I believe to be inevitable, despite the promise of pro-

tection), no marked decrease in the percentage of operation expenses can be looked for.

Sixth. The clamorous and unreasonable demands of shippers, both as to rates and facilities, the extent of which can only be known to those that come more directly in contact with this class, whose claims are often presented with a degree of persistence and selfishness that places them beyond the pale of reason.

Seventh. The attitude of the railways toward one another, even in cases where their interests appear to be identical; as shown by the want of unanimity among their chief officials, and by insincerity in making, and faithlessness in keeping, agreements; in winking at the trickery of subordinates, in cutting rates, in over-loading cars, in under-billing weight, in paying rebates, and in making time contracts. "You have not kept your agreement to maintain rates, and have been getting more than your share of business," said one freight agent to another. "Oh, well," was the reply, "you keep the agreement, and I will keep the business."

Eighth. A foolish and unnecessary rivalry between the principal competing lines, resulting in a needless and continuous decrease in rates, and a consequent reduction in net income.

Ninth. Increased and indiscriminate issue of free passes. Even that class of passes known as "annuals," which were originally exchanged as a matter of courtesy, have proved an excessive annoyance to the officers issuing them, who would gladly discontinue an evil that they are powerless even to check.

Tenth. Popular prejudice against pools, concerning which there appears to be a great misapprehension in the public mind, though for protecting the interest of both shipper and railway alike, the plan seems to be the only feasible one. It does not, as many suppose, encourage extortion, nor does it countenance discrimination, but serves as a protection and as an equalizing power in the interest of both shipper and railway.

No one who has watched the course of events can have failed to observe that a marked disintegration in railway property has been going on during the past five years. Nor can it be doubted that, if the present condition of affairs is allowed to continue, a crisis is imminent. Many of the lines whose shares may now be classed as purely speculative, have already practically passed beyond the control of their managers. With others, the status of

their ownership is so vague and indefinite that they appear to be rapidly approaching that condition. Certain others, though not experiencing actual embarrassment, are warned by the signs of the times of the necessity of retrenchment. In contrast with these, the prudently managed lines that have husbanded their resources in the past, stand out in bold comparison, and view (but not without anxiety) approaching events. But the railway system of the country, divested of its fictions and fungous growths, and guarded by a higher standard of morality, will, I believe, again shine out with renewed splendor, and, under a new and more stable order of things, will pursue the even tenor of its way in working out the grand problem for which it was designed.

WILLIAM K. ACKERMAN.

THE BRITISH HOUSE OF LORDS.

If England had ever possessed a constitution in the sense in which that term has in modern times been used in other countries — meaning, that is to say, a written text of fundamental law, distributing and defining the powers of government — it would not be difficult to foretell how changes can from time to time be made in the political structure. But in this sense England has never had but one frame of government that could be called a constitution. This was the political system imposed by Cromwell in the famous instrument that established the Protectorate; a system that was mainly the product of his own genius. The old monarchy that fell, apparently forever, when the axe descended upon the neck of Charles I., survived only as a possible claim in the person of his son, Charles II. While Oliver lived, the Royalists, however numerous and respectable as a party, could only conspire against one of the most vigorous rulers that ever held supreme power in the British isles. If Richard Cromwell had been a man capable of wielding the scepter that his father had prepared for him, England would have gone on with a constitution deliberately framed and capable of such modifications as future circumstances might have required. But Richard, unable on the one hand to control the military chiefs of his own party, or the soldiery either, or on the other hand to encounter the Royalists, meekly and quietly laid down the power that had descended to him. The Restoration brought back the old monarchy, in the person of Charles II., without any change in the King's prerogatives, and without the guarantees that ought to have been required. By a fiction that admirably answered its purpose, the Parliament, which had recalled the King and restored the monarchy, was transformed into the old legislature of the realm, consisting of the Lords spiritual and temporal as one chamber, and the Commons of

England as the other — coördinate branches of one supreme legislative power, with the King as supreme executive magistrate, and at the same time as an independent and coördinate part of the legislative authority, because of his acknowledged right to sanction or reject all acts of legislation.

The old frame of civil polity, thus restored, remained after the Restoration substantially what it had been before. It remains the same to this day; for, notwithstanding the growth of the power of the House of Commons, the rise and function of the ministry, the denial and discontinuance of the sovereign's power of dispensing with the laws, and all the other reforms or changes of the past two centuries, the frame of government continues to be the sovereign and the two houses of the legislature. And to this day England has no constitution save the unwritten law that has always recognized the several functions of the King, the Lords, and the Commons, as the divisions of the state, founded in and fixed by immemorial usage.

As a basis of government, an unwritten constitution may be as good as a written one. In a country where regular government, accompanied by a fair increase of liberty, has existed long enough to make usage, in the acceptance of the governed, a firm ground on which to rest the duty of civil obedience, an unwritten constitution is by no means an unsafe basis of a state. But the two kinds of constitutions are essentially unlike. In our sense of a constitution, England never had one before the time of Oliver Cromwell, and it has never had one since his day. It has had nothing but institutions, great and admirable institutions, the growth of more than a thousand years, adapted to the genius and habits of the people, capable of slow and safe amelioration, and affording many most valuable examples of the application of certain divisions in the framework of government, of which we in America have largely availed ourselves. All these divisions of the powers of government are in England nothing but institutions. The House of Commons is an institution; the House of Lords is an institution; the sovereign is an institution. Excepting, perhaps, in the initiation of money bills, or bills for raising revenue, the legislative function of the House of Lords is coördinate and equal with that of the House of Commons. Upon the recognized principles of what is called the British constitution, the House of Commons has no more right to demand the assent of the Lords to a bill than the

Lords have to demand the same thing of the Commons. The House of Commons has no more right than the House of Lords to say that it speaks the will of the nation. The will of the nation is expressed through an act of legislation; and an act of legislation cannot become an expression of that will until it has passed regularly through both houses of Parliament, according to certain forms, and then received the royal assent. Even after a dissolution, when the ministry has appealed to the people on any question arising by reason of the rejection by the Lords of a measure sent up from the Commons, and a majority, however large, has been returned to the House of Commons under circumstances that show clearly that a majority of the constituencies support the ministry upon that very measure, the power and the duty of the Lords in regard to it remain just what they were before. If a majority of the Lords shall think that the public welfare is really not to be promoted by their concurrence, they have the same right to refuse their concurrence that the Commons have to ask for it. This is the familiar principle that runs through all governments having a dual legislature; it is what gives value to the distribution of the legislative authority into two chambers. If each of them is not independent of the other, if they are not coördinate and equal in power on all matters that are not recognized as constituting fixed exceptions,— as, for example, in reference to money bills, —there is virtually but one chamber, and the existence of the second one is a form approaching to the character of a farce. If, in any case of serious conflict between the Lords and the Commons, the former think it expedient to give way, they do so; not because they are destitute of the rightful power to act on their own convictions, but because they are the rightful judges of what it is best for them to do in the particular case — whether it is better to allow a measure that they disapprove to become a law, than to have a turmoil in which agitators and demagogues can inflame public feeling against them. When a crisis of this kind arises, it strikes an impartial foreigner as something amazingly inconsistent with the acknowledged principles of the British constitution, and with the theory of all other free governments possessing a dual legislature, to hear the House of Lords threatened with abolishment of their function in the state, because they do not concur in a measure promoted by the ministry of the day, and sent up to them from the House of

Commons. If the House of Lords, with its immemorial rights and powers, as ancient at least as the rights and powers of the Commons, and resting upon the same basis of prescription, exists for any useful purpose, it is as a check on legislation, in order to secure the benefits of wise consideration by an order of men who do not hold their seats by the same tenure as that by which the members of the lower house hold theirs. Surely, therefore, it cannot be anything but an encroachment upon the independent right of the Lords to decide for themselves whether they will concur in a measure, to threaten them and the whole people of Great Britain with what must be a revolution, whenever and however it is brought about, unless they decide a public question in the way in which they are required to decide it by a power that has just the same and no higher function in the state than they have.

When one of these conflicts arises, and we begin to hear discussions of the expediency or necessity of abolishing the House of Lords, there are some interesting facts of which all intelligent foreigners are at once reminded, although they do not materially affect the practical questions that will be before the British people whenever the idea of dispensing with the House of Lords shall be seriously entertained. If anything like a separate computation could be made,—beginning with the day when the Barons of England extorted from King John all that Magna Charta secured for their fellow-subjects as well as for their own order, and coming down to the present time,—it might perhaps be found that the English aristocracy, in their capacity of hereditary legislators, have done as much for liberty as has been done by the House of Commons; and if to their side of the account should be added the good they have done by checking unwise legislation, there would be a very respectable summary of their historical merits as a ruling order in the state. Among these reminiscences, some at least might be found of peculiar interest to us. We might be reminded of the fact that, although the measures that led to the American Revolution were concurred in by a majority of the Lords, it was in the House of Commons that that steady, unfailing, ever reliable power lay, which enabled George III. to misgovern these colonies until he drove them into rebellion. Nay, we might be reminded that for a long while the head and front of the opposition that resisted the ministry of that day, in all

things relating to America, was a peer of the realm, the excellent, wise, although not very powerful Marquis of Rockingham, of the house of Wentworth. By his side, through good and evil fortune, stood more than one of the peers, heads of the great Whig families, as well as Burke and Charles James Fox. Chatham, though he thundered in the House of Commons against the arbitrary measures of the Government as long as he remained there, and continued to thunder against them in the Lords, was a new man among the peers. The strength of the opposition was in the aristocracy of older creations, followed by a few eminent men in the lower house. But these reminiscences, interesting as they might be, and such a computation of the historical merits of the Lords and the Commons, curious as it might be, would not be of much consequence now. Neither would the illustrious descent of many of the present House of Lords, or the personal merits of the ancestors of those who are of comparatively recent creation, or the public services of those who have been created in our day, count for much when the practical question arises, What is to be done with that house? It may be a longer or a shorter time before the peers will lose their hold upon the respect and confidence of the nation. The snobbish love of an Englishman for a lord is a good subject for laughter all over the world; and undoubtedly there is, among all classes of our transatlantic cousins, a deference paid to rank as rank, that seems to most Americans supremely absurd in a people who are so robust and manly, while at the same time it is not without imitation among some of our own countrymen. But, setting aside what is on the surface merely of the national manners of a people, there never has been a nobility in any country having, as a body, stronger grounds on which to rest its claims to national consideration, or with better grounds on which to rest its peculiar privileges, than the British aristocracy. We first know of it as an institution in ages when it was a rude dominant class, turbulent and tyrannical, sometimes loyal, and sometimes disloyal, but always valiant with the virtues and the vices that the feudal system engendered. In the long course of its history, it has had members who have adorned and members who have disgraced their order. This is its condition now. But from the earliest period of its history to the present day, there has been in the ranks of the peerage a progressive improvement in virtue, in public spirit, in conscientious discharge

of all the duties of life, in cultivation and in true nobility of character, quite as marked as that which has taken place among any of the classes that are not connected with it at all. There is, therefore, aside from the mere prestige of rank, and aside from the peculiar position that the old polity of the state assigns to this order of men, a real ground for the solid respect in which the nation at large undoubtedly holds the peerage as a body. It is a respect that can be forfeited; but it will not be likely to be seriously impaired by extravagant attacks upon the unquestionable legislative authority of the House of Lords. Still, however, the time may come when all these things will count for very little, and when the question will arise, whether the ancient polity of the realm is to be changed by abolishing or essentially modifying the upper house of Parliament. That question, let it arise when and how it will, is interesting and important not alone to the subjects of Queen Victoria. It may well attract not only our attention as heirs of much that is valuable in the British polity, but the attention likewise of all the nations that have the happiness of possessing any tolerable share of self-government, and to whom the science of government is a matter of living concern.

The nations of Germanic origin owe chiefly to England the modern invention of a dual legislature in its most efficient form. It was an invention, and a great one, however long it was in forming. The Latin races have not copied it. The Roman Senate, which was an assembly of nobles, never, either under the Republic or under the Empire, had a coördinate and independent colleague in legislation, drawn by representation from the body of the people; and it was from the Roman Senate that the Latin nations in the Middle Ages derived the idea of a body of legislators, however that idea may have been modified among them by some of the Gothic or the Frankish institutions. At what precise period the old Witenagemote, or grand council of the Anglo-Saxon kings, became separated into two distinct houses, historians cannot tell us. But at some period the separation became complete; and when it had become so, the advantage of a legislature composed of two coördinate branches of equal authority was attained. One of these bodies became an assembly in which men sat as representatives of shires or boroughs, by virtue of an election made by electors whose prescriptive right to be so represented was acknowledged by all the powers of the

state. The other became an assembly in which men sat by virtue of a patent of nobility granted by the Crown, which vested the right so to sit in their male descendants, according to seniority of birth. This is equally a right acknowledged by everybody.

The hereditary principle, as a source of a right to discharge some public function of government, may be, both theoretically and practically, very poor, compared with some form of selection of the individual in which the people can have a voice. But in a country where the hereditary principle prevails in the designation of the head of the state, its extension to some other part of the government introduces nothing to which the nation is unaccustomed. In England the hereditary right of certain men and their male descendants to be summoned to and to sit in Parliament is as old as the right in one particular family to wear the crown and to sit on the throne. Both of them are fixed institutions, and just as much established in the fundamental law of England as is the right of a freeholder to the house that shelters him and to the acres that he tills, or the right of any Englishman to the money in his pocket.

On the merits of any particular measure on which the House of Lords has ever differed, or shall differ, with the House of Commons, it would not become a foreigner to express an opinion. It may relate to an extension of the elective franchise, or to anything else. It is of no consequence to the world at large whether the Lords are justly or unjustly treated when their opposition is imputed to selfish motives or to narrow prejudices. How far they shall carry their opposition, when and how they ought to yield, are matters on which no foreigner's judgment is worth the paper on which it may be printed. But when the question arises, either out of vindictive feeling or in cool calculation of what is expedient, whether the House of Lords as a branch of the British legislature shall be destroyed, the whole civilized world may be said to have an interest in what is to be done or attempted. This interest springs from the fact that the principle of two legislative chambers is involved in the system of English parliamentary government, and from the further fact that England possesses no means of founding a safe and efficient second legislative chamber if the House of Peers is to be done away with.

The British nation, if not now, may at some time be brought face to face with the question whether they will try to get along with a single legislative body. "To this complexion must it

come at last," if they do away with the House of Lords, unless they can find a different and a better basis on which to found a substitute that will continue to give them the advantages of a dual legislature. For this reason, what we in America have done, how we came to do it, and how we did it, are inquiries worthy of their attention. These inquiries are important to Englishmen, not because our republican model is capable of imitation in a country of monarchical and aristocratic institutions, or because a republic in England is, however improbable, a remote possibility. What has been done in America, and the ultimate reasons for it, are inquiries valuable to Englishmen, because they may help them to see how impracticable it is for them to follow our example. There is but one aspect in which our example is an important illustration of a general principle; this is the recognition, by the Constitution of the United States and by all our State constitutions, of the supreme expediency of a dual legislature. In framing our national Constitution, which has now almost completed its first century, we were perfectly free to adopt the plan of a single legislative chamber, or to follow the English model, which, with one or two exceptions only, had been adopted in all our thirteen States before the Constitution of the United States was made. In fact, most of our colonial and provincial governments, before the Revolution, had been framed upon the plan of two chambers. But it was not solely or chiefly because of the ancient habit, that the framers of our national Constitution repeated this plan. They thoroughly considered the question as an original one, as one of great consequence in the science of government, both theoretically and practically. There was but one important man among them that preferred a single chamber. Franklin, in holding this opinion, was influenced in some degree by the fact that Pennsylvania, of which he had long been a citizen, and of which he was then President, had until then a single legislative body. He also favored a plural executive, and was opposed to a salary for the chief executive office. But these opinions were shared by none of his colleagues in the convention. The plan of a dual legislature for the United States was adopted by a most decided predominance of the conviction that two chambers, acting as equal checks upon each other, are essential to wise and safe legislation.

But when we come to consider the respective bases of our two houses of Congress, and especially when we observe the nature

and form of the representation in the Senate, we shall see, on the one hand, how fortunate it was for us that the circumstances of our situation afforded the means of constructing a Senate on a principle of representation very different from that which was to be given to the other house of Congress, and on the other hand how impracticable it would be in England to attempt to find a basis for a senate, if the House of Lords is to be abolished or materially modified. In the United States no aristocratic institutions existed, no recognized social ranks, no masses of landed or other property, that could be made the basis of peculiar representation in a Senate. The equality of all white men before the law was the condition of society everywhere. The peculiar arrangement by which the slaves in certain States were allowed to be counted in a certain ratio, in computing the population of the States to be represented in the lower house, was not adopted for the Senate because the representation in that was not to be based on population. As it could not be based on property, a peculiar and, for America, an unexampled method of representation was devised. It grew out of the necessity for introducing into some part of the Government a recognition of the federative character of the proposed political system. The separate sovereignties of the States, which were to remain unimpaired save in so far as their people were to cede to the central Government certain powers of a specific character and of national concern, afforded the means of establishing an equal representation of the States in the Senate, without regard to their extent of territory, the amount of their population, or their comparative wealth. A second legislative chamber was thus secured, the seats in which are held, not by popular election as in the House of Representatives, but by appointments made by the State legislatures.

Had this necessity for recognizing the federal principle in some part of our Government not existed, the Senate of the United States, if it had been formed at all, must have been founded on some other basis. But there was no practical basis but this; and no American of any intelligence will be disposed to doubt that the circumstances that enabled the wise founders of our Government to establish such a mode of representation in the chamber that nearly all of them believed to be of the utmost importance, were a most fortunate and peculiar concatenation. No American would listen for one

moment to a proposition to do away with our Senate because, on any occasion or any subject whatever, it has chosen to exercise its undoubted prerogative of independent action upon any measure sent to it by the other house of Congress. Disagreements between the two houses are of constant occurrence. If committees of conference cannot reconcile the conflict, the measure falls quietly to the ground. No one complains that the Senate sets itself in opposition to the popular will. Everybody knows that the Senate exists for the purpose of encountering the popular will when it deems it necessary to do so.

But no suitable materials exist in England for the construction of a new chamber to take the place of the House of Lords. Let us suppose the whole people of England — or for that matter the whole people of England, Scotland, and Ireland — to be represented in a national convention composed of the wisest and ablest representative men of all ranks and conditions. There is to be no violence, no public commotion, nothing but a calm and deliberate consideration of what can be done to modify the old civil polity of the realm. The question that is to be considered is twofold: first, whether there shall be but one house of Parliament; and secondly, if there are to be two, what substitute for the House of Lords can be found? On the first question the deliberation will not be long, if the nation or its representative men shall pay due heed to their own history and experience; for these will teach them that a House of Commons, under the guidance and influence of any minister whatever, sometimes needs to be checked by a body of equal authority. If the day shall ever come when the people of the British isles shall seriously consider whether they will do away with the monarchy and establish a republic, the question of a double legislature will still confront them; for, whether the government is to be monarchical or republican, the advantages of two legislative chambers, and the disadvantages of one, will remain the same. It may safely be assumed, therefore, that the British people will never imitate the example of those countries that have had, or those that now have, but a single legislative body. It is of the very genius of parliamentary government as it has been practiced in England for many centuries, that before any measure can become the law of the land it must be submitted to the independent judgment of two bodies differently constituted; and considering that a law enacted by Parliament is both law

and constitution (for such is the "omnipotence" of Parliament that its acts never have to be or can be subjected to any test of their constitutional validity), it is of the utmost consequence to the liberties of the people that the legislation which they must obey shall be passed upon by more than one body of legislators. Whether an aristocratic assembly is a better guardian of the liberties of the people than a popular one, is, as an abstract question, of no great moment. Practically, the peers of Great Britain have not, in general, been less careful of the liberties of the people than the Commons.

Of what, then, shall the substitute for the House of Lords be composed? Confining the view at present to the three kingdoms over which Queen Victoria reigns, two plans may be suggested as alternatives: first, to make a smaller body than the present House, by some mode of electing representative peers from the whole number of those now having the right to sit in Parliament; secondly, to adopt the counties, or some other territorial divisions, as the basis of a new chamber, and let the seats be filled by popular election, distributing the seats by some fixed rule. The first of these plans would gain nothing but a reduction of the number of members of the new senate; for, however the choice might be regulated, the persons chosen would still be members of an aristocratic order, and all the tendencies that are now imputed to such an order of men would remain in full force. It might, too, be a very serious question whether, if the aristocratic character of such an assembly is to be preserved, there would be any real advantage in reducing its numbers. The arrangements that were made at the union between England and Scotland, limiting the number of Scottish peers to be admitted to seats in the Parliament of Great Britain, and the corresponding limitation of Irish peers established when the Parliament of Ireland was discontinued and that kingdom was admitted to representation in the Parliament at Westminster, were made in order to adjust the representation so as to satisfy the English peers and people, and to prevent the relative weight of England from being unduly reduced. But in any new plan for constituting a chamber to be composed of English, Scottish, and Irish peers, however the relative claims of the three kingdoms might be adjusted, and whatever might be the whole number of representative peers, the assembly would still be aristocratic, founded on the principle that there is an order

of men in the State to whom it is expedient to assign a distinct power in the Government by reason of their birth and social position. The second of the plans above suggested brings into view the total absence of all analogy between the English or the Scottish or the Irish counties and the States of the American Union, as a basis on which to found a second legislative chamber. In Great Britain or Ireland, a county is a territorial division in which, whatever rights of local self-government the inhabitants exercise, they hold and exercise at the will and pleasure of Parliament. As a territorial division of the kingdom, they hold no reserved rights under their own absolute control, and therefore it would be impossible to construct a legislative body for the whole kingdom, or for the three kingdoms, in which the principle of a federal union could be introduced. It would be a very easy matter to take the English counties, or any other territorial division arbitrarily selected, and provide for a representation of the inhabitants in a second chamber, throwing the seats open to be contended for by peers or by any other class of men. The same arrangement could be extended to Scotland and to Ireland. But such a chamber would bear no resemblance to the American Senate, and could not have its advantages. It would be like the senates of our State legislatures, nothing but a double representation of the people of a certain territorial division, chosen by the same electors who choose the members of what is called the popular branch. Even if the suffrage for this kind of senate is restricted, it is still a representation merely of a certain number of people, unless property is in some way introduced into the basis. In the Senate of the United States, the representation is not a representation of numbers of inhabitants, or of property or comparative wealth. It is an equal representation of sovereign political communities, which hold an independent right of self-government in all matters not comprehended in the grants of power that their people have made to the Government of the United States. No imitation of this system is possible in the British Islands.

But the sovereign of Great Britain and Ireland rules over a vast empire extending into various quarters of the globe, and for some purposes the Parliament at Westminster governs great dominions beyond the seas that surround the isle on which it sits. Extending our hypothesis, therefore, for a moment, to a

broader view, let us consider another theory. The people of the three kingdoms, of all classes, might be very willing, for imperial purposes, to make a new second chamber in Parliament, into which should be admitted representatives of any or all of the colonies or dependencies. But what would the people of England, Scotland, or Ireland say to permitting a representative, peer or commoner, from Canada or India or Australia or the Cape Colony, to legislate on matters domestic to England or Scotland or Ireland? Of course it would be out of the question. They might be willing to allow any British subject, wherever born, to represent an English, Scottish, or Irish constituency whose votes he could gain for a seat in the House of Commons, or in any new legislative chamber that they might devise; but his vote would be the vote of his constituents, and if he did not represent an English, Scottish, or Irish constituency, but only a distant portion of the empire, his vote could be permitted only in matters affecting his real constituency.

It is only necessary to touch upon this difficulty, in order to see how vast and complicated is the problem that will be before the British people whenever they approach the question of finding a substitute for the House of Lords. As things are now and have long been constituted, the members of that House hold their seats upon the theory that the good of the state is best subserved by admitting to a distinct power in the Government a certain order of men. It is not a theory that any people would deliberately adopt in the present age of the world, if they were at the same time to create *de novo* the aristocracy that was to be admitted to hold and exercise the power. But the British aristocracy was not made in this age of the world; it is an institution as old as anything in the condition of the English people of which we have any certain knowledge; and whether the time has now come, or is near at hand, or is in the far distant future, when the theory of its position in the state must undergo revision and perhaps rejection, the statesmen and people of Great Britain will have to remember that, in finding a substitute for the House of Lords, they must do one of two things. They must have a parliament or supreme legislature in which, as now, the members of both houses will have the right to vote on domestic and imperial matters alike, or they must contrive some mode of introducing a distinction. At present, the law of England knows no such distinction. A peer of the realm sitting in the

upper house, and a commoner sitting in the lower, legislate for the people of Great Britain and Ireland, and for millions in other lands, without the smallest difference of power; and it is very difficult to see how it can be otherwise. The time may indeed come when all the dependencies of the British Crown in other quarters of the world will one by one be finally severed from it; but at present the commercial greatness of England is bound up in the maintenance of its imperial interests and authority, and, so far as human speculation can penetrate the future, the time is very remote when the legislation of England will be confined within the limits of the three kingdoms. When that colossal power has shrunk to those dimensions, there will be less embarrassment in the work of constructing a frame of government that is to take the place of the one that exists to-day. Whenever that time comes, unless the nature of man has undergone a great change, it will still be found that a dual legislature is the best of all the forms of parliamentary government, although it may be possible to do away with the aristocratic and hereditary element.

In the discussions in England during the past summer, a radical orator threw out a suggestion that, if the House of Lords is not to be altogether put out of the way, which he would greatly prefer, its power in legislation might be curbed. He did not explain how, but apparently his meaning was, that the Lords might be allowed to take one vote upon a measure sent up to them from the Commons, and then if they rejected it the Commons should be authorized to give it, by a certain majority, the same force that it would have if it had been regularly enacted by both houses. This would be something like what we in America call passing a bill over a veto; that is to say, when one of three coördinate branches of the legislative power — namely, the executive — has refused assent to a measure, the other two may enact it into law by a certain majority of votes. If I have rightly guessed the orator's meaning, he would have the sovereign and the House of Commons together make a law that the Lords have once refused to make. By what process the fundamental law of England is to be brought into this condition, it would be hard to say. One can understand what happened when a powerful leader, taking a file of soldiers, entered the chamber of the Parliament, and pointing to the mace on the table told his men to "take away that bauble," then turned out the members, locked

the door, and put the key in his pocket. Short of that, however, or of some similar process, one cannot understand how the peers of Great Britain, unless they adopt a most remarkably self-denying ordinance, can be shorn of their equal authority in the enactment of laws.

Whenever the question here touched upon shall arise, it will be fortunate for the nation if it comes to a solution in the life of Queen Victoria. Her Majesty is thoroughly versed in the constitutional history of her kingdoms, and there can be no doubt that her advice upon any matter involving a radical change in the structure of the government would have great influence with her people. It can hardly be that the function of the ministry, which has long been recognized as a council entitled to shape the ordinary measures of government, would be held to extend to changes in its fundamental structure so as to oblige the sovereign to remain passive, or to neutralize the influence of the Crown, or to entitle the ministry of the time to use that influence in promoting such a change. The theory and practice of executive administration, which has prevailed for a long time, is, that the leading men of a party that commands a majority in the House of Commons are to be accepted by the sovereign as ministers. In all ordinary measures of government and legislation, the ministry is held to be entitled to shape the public business, and to assume that the assent of the Crown is or will be given to whatever the ministry propose. But this function of a ministry has never been held to extend to such a change in the structure of the government as the abolition or reconstruction of the House of Lords would obviously be. There has never been an occurrence that would stand as a precedent for requiring the sovereign to remain passive if the ministry were officially to undertake to promote such a change. However great might be their following in the House of Commons, they would have to act in such an undertaking as individuals, and they could not act as a ministry entitled to speak for and represent the Crown. The sovereign would be entirely at liberty to differ with her constitutional advisers, and to make the difference known. In Queen Victoria, her subjects of all classes would, on such a matter, have an adviser that would be disinterested, unless the proposed change should in some way involve the hereditary principle in relation to the Crown, as well as in relation to one of the houses of Parliament. If this should be the case, a revo-

lution would be impending in which the sovereign would be forced to make common cause with the peers. But the probability of this is very remote. The nation is not likely to surrender a constitutional monarchy, or to impair the principle of the hereditary descent of the Crown; so that when the question comes in any tangible shape, whether the hereditary principle shall be abolished in that branch of the legislature in which it has so long existed, it will, in all probability, arise and be treated as an independent question, in which the rights and interests of the royal family will not be otherwise affected than as the aristocratic basis of the House of Lords is supposed to be one of the great supports of the throne. But it is quite possible to conceive, if a way could be found to bring it about peaceably, that the aristocratic and hereditary basis of the House of Lords could be removed without weakening the throne; for in England, and in a few other countries, the essential idea of a constitutional monarchy does not necessarily embrace an aristocratic or hereditary element in the legislature.

In almost any conceivable form, therefore, in which the question of finding a substitute for the House of Lords can be anticipated to arise, the nation would be likely to look to the present Queen, if the question should arise in her reign, for disinterested and wise advice. Whatever trifling dissatisfactions they may have had with her, they know her to be a patriotic and able sovereign, devoted to the welfare of her people. And throughout the civilized world, wherever there is a lover of mankind, wherever there are persons enlightened enough to know how the prosperity and happiness of the British nation affect and must affect the welfare of the human race, the hope will not cease to be entertained that they may be spared from violence, and that all useful changes in their political and social condition may be brought about peacefully.

GEORGE TICKNOR CURTIS.

RESPONSIBILITY FOR STATE ROGUERY.

In a former paper the writer suggested a remedy for the evils of State repudiation, viz.: the assumption by the general Government of the debts of the delinquent commonwealths, with a brief and incomplete argument in its support. His object was to direct attention to the measure proposed, and elicit, as far as possible, an expression concerning it from those who usually give voice to public opinion. In that purpose he has been reasonably successful. It is a somewhat curious feature of the discussion that newspapers representing the German and other foreign elements among us should seem more sensitive to the honor of the country and more favorably inclined to the remedy proposed than the native or "English-speaking" journals, many of which have appeared to resent the imputation that we, as a nation, might be open to the charge of dishonesty because of so small a matter as a failure to pay between three and four hundred millions of public indebtedness. The most frequently urged objection was thus formulated by a New York daily:

> "The writer does not seem to realize how wide a door he would open into the national treasury. Why should the Government stop with the debts of the States? Why not go on and help out defaulting towns and cities? Why not take care of the debts of sundry weak-backed railway companies, whose creditors would be very glad of its interference? Why not settle for the late enterprising firm of Grant & Ward?"

In reply, it is enough to say that, in the cases of delinquent towns and cities and railway companies, and of such unfortunate houses as Grant & Ward, the Government has already made ample provision in behalf of creditors. It has created courts, with judges and sheriffs and receivers, and thrown their doors wide open, that those having demands may come in and secure all they are entitled to receive. If it had done the same thing for creditors of defaulting States, to whom it is certainly under

equal obligation, they would have no right to ask anything more. But here is where "circumstances alter cases." The Government gives those who hold unsatisfied claims against States no legal means of redress. Why this is so, it may be well enough briefly to explain. The popular idea is, that States cannot be sued by individuals, because they are sovereign bodies, and as such enjoy the immunity resulting from that old legal fiction — a veritable relic of barbarism — that "the King can do no wrong." The makers of our Government, however, entertained no such antiquated idea. They had no respect for kings and their traditional privileges. They provided that States could be sued on a money demand, like anybody else, as was decided by the United States Supreme Court, in 1792, in the case of Chisholm *vs.* Georgia, 2d Dallas's Reports. In that case, through Justice Wilson, the Court says:

"A State, like a merchant, makes a contract. A dishonest State, like a dishonest merchant, refuses to discharge it. The latter is amenable to a court of justice, on general principles of right. Shall the former, when summoned to answer the fair demand of its creditor, be permitted, Proteus-like, to assume a new appearance, and to insult him and justice by declaring, I am a sovereign State?"

That is precisely what nearly one-third of our States are now saying to their creditors. The ruling in the Chisholm case produced a sensation amounting almost to a panic. The people in that day were poor, and public burdens were oppressive. The general Government had assumed the legitimate debts of the States growing out of the war for national independence; but numerous claims — like that of John Hook, so severely anathematized by Patrick Henry — remained unsettled, and the popular apprehension suggested innumerable suits and judgments against the States, to be followed by onerous taxes. To cut off these objectionable war-claims, the Eleventh Amendment to the Federal Constitution, which inhibits an individual from suing a State, was hurriedly submitted and adopted. That was the only purpose of the measure; the possibility of a State taking advantage of it as a means of escape from paying bonded debts not being thought of. It was a cowardly remedy, as well as most inequitable, since the State was still left with power to sue the citizen. To avoid the appearance of repudiation, an indirection and a technicality were resorted to, and an important permanent principle was sacrificed to a questionable expediency.

It will thus be seen that the government and people of the whole country, and not the government and people of the delinquent States merely, are responsible for the absence of a proper legal remedy in behalf of the holders of dishonored State paper, and for what must be admitted to be a serious defect in our organic national system. Every government is under obligation to protect the property of its subjects. Money demands are property. If we cannot collect pecuniary debts that are justly due us, for lack of adequate legal machinery and power, we do not enjoy the benefits that a thoroughly good government would provide. The foregoing facts would seem to furnish a sufficient argument for the general Government's standing between the creditor and the repudiating State; nevertheless, there are some special reasons for the same conclusion that should not be overlooked.

First. That portion of the debt in question which is popularly known by the designation of "carpet-bag," was really created by the general Government in the names of the States, through agents of its appointment. It was a fungus that grew under the shelter of the national authority. Most certainly the people of the States did not authorize it; and it is, perhaps, not altogether unnatural that they should object to taking care of it. Doubtless the States are legally bound for the payment of bonds that their organizations were used to create, and equitably bound, as they received most of the benefits; but does that exempt the general Government from responsibility for its share of the business? On which the greater obligation rests, may be a nice question; but it is very plain that the bond-purchaser, who paid out his money in good faith, ought not to lose his investment because he has a valid claim on two parties instead of one. If one will not take care of him, the other should not for that reason be excused from doing so.

Nor are the holders of the "carpet-bag" bonds the only losers through the general Government's action in this matter. Those debts have caused heavy losses on other bonds. They have furnished the pretext for most of those outrageous robberies, under the names of compromises, settlements, and re-adjustments, through which perfectly valid claims have been cut down from forty to eighty-five cents on the dollar. They have done the repudiating States no harm, because they have not been paid, but, on the contrary, have been the means of reduc-

ing their other debts. In fact, the "carpet-bag" bonds have been of immense service to the repudiation movement. Its leaders have used them to fire the souls of their followers — who have rarely troubled themselves with nice discriminations — against all State liabilities. They have used them to figure up a grand total of indebtedness, and so have worked on the fears or compassion of the owners of other securities, and induced them to surrender their holdings at heavy discounts. They have used them to make apologists of outsiders, who have very generally supposed, from the clamor about "carpet-bag" bonds, that all, or nearly all, the discarded State obligations were of that description. But for the "carpet-bag" bonds, it is quite safe to say that most, if not all, of the derelict States would long since have resumed payment in full, as was done by Missouri, which was among the most heavily debt-laden States of the South, as well as one of the greatest sufferers from the war, but escaped a provisional government and a fresh bond issue at the close of the war.

Second. The proceeds of the rejected bonds have mostly been used in constructing railroads that have become necessary links in great national highways. These roads are as truly national works as the Union Pacific, to build which, and a good many private fortunes with it, the Government supplied the money. The argument on this point has been forcibly presented by a Western journal, in an article called out by the writer's former paper, in the following words:

> "Most of the old State debts were contracted under the reign of the State-rights heresy, when it was held that only States could engage in works of internal improvement, and that every such improvement must begin and end within State lines. It is now known that such improvements derive their chief value as links only of larger chains that bind together States, countries, and even continents."

Third. That the general Government has, by means of official patronage bestowed upon active and notorious leaders in the repudiation movement, given essential aid and comfort to that movement in all the defaulting States, and strengthened and widened the sentiment upon which it rests, is matter of history.

Fourth. Without the protection of the general Government in the course they have taken, the States could not have repudiated to anything like the extent they have. No princi-

ple of international law is better established than that when States contract debts with citizens of other States with which they have no political connection, the latter have the right to compel payment, even with the sword. There have been plenty of recent practical illustrations of the doctrine; the United States have furnished some of them, particularly in enforcing demands of their citizens against Central and South American republics. The Alabama business was an exemplification of the principle referred to. Only a short time ago, we almost got into serious trouble with another government over a shadowy guano claim in which one of our citizens was supposed to have an interest. Our States have issued their bonds and sold them to citizens of other countries. Why have they not been made to pay them? Everybody knows it is because the general Government gives them its protection. But for that shelter, the State of Mississippi, which sold most of its bonds in England, would long ago have been under a British protectorate, in the interest of bond creditors, as Egypt is to-day. American States are the only sovereign or semi-sovereign powers in all the wide world that treat their creditors as if they had no rights that debtors are bound to respect. They are the only powers of that sort in all the wide world that dare to do so. Their position is most unique; they cannot be reached by the local law, and made to pay like other debtors that have the ability, because they are exempt from local law processes; they cannot be reached by the international law, because the general Government stands between them and their creditors' governments. Secure behind the nation's authority, they sit back and laugh to scorn the men whose money they have received, and who hold their sealed and solemn instruments. If responsibility and liability go hand in hand, as they are supposed to do, in what position does this state of things place our national Government? Can it be instrumental in preventing creditors—citizens of its own country, to which it owes something, and citizens of other countries—from collecting their rightful dues, and incur no moral accountability? Can it be honest and irresponsible, while furnishing a shield to cover others' dishonesty? So far, we have considered only propositions based on equity; but there are motives of policy that should not be omitted.

First. The public interest. Like all new countries in course of development, America has had to get much of her working

capital from abroad, and she must expect to do so for many years to come. The usury she will be compelled to concede will depend upon the condition of her credit — not so much for ability to pay, for that can hardly be questioned, as for the integrity of her people. Every American railway company, or canal company, or land-improvement company, that offers its paper in foreign markets, either because sufficient investment capital can there alone be found, or in the hope of obtaining cheap money, must pay forfeit for the damaged standing of the defaulting States; and when we bear in mind that the funded indebtedness of our railways alone amounts to three and a half billions of dollars, and their capital stock to three billions, eight hundred millions more, and that in a few years these figures are likely to be doubled, we can form some idea of what the penalty must be. If the delinquent communities sustained the loss, or the major portion of it, their misfortune would hardly be a subject for mourning; but, unhappily, the principal damage falls on those sections of the country that supply the great projecting and constructing syndicates, as well as much of the capital they operate with, and which, knowing its value, try to maintain an untarnished record. The defalcation of Virginia and Tennessee does not hurt Virginia and Tennessee one-tenth as much as it hurts New York and Massachusetts, that faithfully pay every penny they owe. It is true that the world, in such cases, ought to discriminate sharply between the guilty and the innocent; but it is just as true that it never has done so, and that it probably never will.

Second. The national honor. Here, again, the world ought to draw the line impartially between those commonwealths that pay what they owe and those that do not; but it is folly to suppose that it will ever take that trouble. The twelve States that are in default number nearly one-third of those composing the Union, and supply one-fourth of the population of the country, and when so many members of our national family forfeit their good names, the rest of the household must suffer from the relationship. The mere fact of non-payment by an indebted community is not all, nor the worst; it is not half so damaging to the public credit as the methods that have been resorted to in the course of repudiation. The various successive steps taken by Virginia to cut down and get rid of her debt, make a record far more disreputable than a simple refusal to pay would have been. The latest expedient to which she has resorted is the

most disgraceful of all. That has been the monthly expenditure, by direction of her Legislature, of a large amount of money to buy in her outstanding compromised obligations. First she scales down her debt nearly half, and then, when she has so blackened her credit that the new paper is worth only about fifty cents on the dollar, she buys it in at the current discount, using for the purpose money — the ability to raise which shows that she does not default through poverty — that ought to go to the interest of her bonds.

What the national credit has suffered in the past, and is now suffering from repudiation methods, may be expected to continue as long as there is a dishonored State debt. There will be a continuous struggle between the wronged creditors and the defaulting commonwealths, the one trying to secure and the other to defeat a settlement, and each entirely too ready to appeal to sharp and demoralizing expedients, including overtures, more or less direct, to the cupidity of legislatures and courts. In fact, as long as there is a defaulted State bond in circulation, it is liable to be an instrument of speculation, litigation, corruption, and scandal.

Third. The public morals. It is not to be supposed that the States can, year after year, pursue a course of dishonesty toward their creditors without their examples telling upon the conduct of their subordinate communities and their individual subjects. Most appropriately does Justice Field say, in a dissenting opinion in one of the cases in which our Supreme Court has upheld repudiating legislation:

> "If the Government will not keep its faith, little better can be expected from the citizen. If contracts are not observed, no property will, in the end, be respected; and all history shows that rights of persons are unsafe when property is insecure. Protection to one goes with protection to the other, and there can be neither prosperity nor progress where this foundation of all just government is unsettled."

The severest reproach to-day attaching to Americans as a people is their indifference to public obligations. Fifty years ago, such a thing as a city or a county or a township issuing and negotiating its bonds without faithfully providing for their payment, would not have been thought of; but now, judging from the number of such communities that, on the slightest of pretexts, or no pretext at all, have repudiated their paper, it is to be

inferred that, outside of leading commercial centers where public credit is a necessity to business, very few of our bonded municipalities would pay a dollar of their debts if the interference of the courts could be escaped.

Nothing is more notorious than that citizens who would scorn to be suspected of a disposition to shirk their private engagements, will publicly and unblushingly favor repudiation on the part of the State, or city, or county in which they live. In that regard, they seem to recognize no moral or honorary obligation as attaching to them personally. Indeed, that is a proposition publicly proclaimed and maintained. Not long ago there was a convention in the State of Missouri, made up of delegates from the different local communities seeking to defeat the collection of their bonds, that issued a printed address, in which we find the following curious bit of casuistry:

"Many labored efforts have been made, to show that there are questions of good faith and moral obligation in reference to the payment of these bonds, wholly independent of the question of their legality. We maintain that arguments based on such considerations have no application to the payment of municipal obligations, and never had. . . . The only questions to be asked and answered in reference to a bond of that character are, Has it been issued by proper authority of law? Is the taxable property of the locality sufficient to meet the obligation, if its payment has to be enforced by law? These are the true foundations of public credit as applied to municipal corporations, and they are matters of law purely."

According to the ethics of that address, a community has a perfect right to issue and market bonds, and then throw them off, if it can. And in so doing, its citizen incurs no responsibility. If he issues his own bond, he is morally bound for its payment; but if he joins with a thousand others in issuing a bond, neither he nor any of the rest assumes any obligation. If a State, according to that morality, after pocketing the money of the purchaser, concludes to repudiate its promise to pay, nobody in particular is responsible for the paper, either in law, conscience, or honor — not even the people by whom the affairs of the State are regulated, and who are directly chargeable with the non-payment of the debt. Nor is there any reason, according to the same view of the subject, why the citizen of a dishonest city, county, or State should not carry his head as high and as bravely in the face of the world as a citizen of an honest city, county, or State. Such is the essential principle of repudiation, by what-

ever name it may be known. The effect of such teaching upon the moral tone of the community cannot be doubted. Nor is its influence likely to be limited by the boundary-lines of repudiating States and municipalities. If part of the members of the body politic become diseased, it will be strange if others are not affected. To this demoralization can, undoubtedly, be attributed a large proportion of what is acknowledged to be the rapidly increasing number of crimes against property, especially in positions of public and corporate trust. It is a significant but by no means unaccountable fact, that nearly all the defaulting States have been heavy losers through the faithlessness of those to whom their public moneys have been intrusted; among the recent sufferers being Tennessee, which has been the latest State to break faith with its creditors, and Arkansas, which has been the last to put on record its formal resolution to repudiate its obligations.

Fourth. The national security. Our Government owes its life to the credit of its bonds. Their marketability alone furnished the means for suppressing the great rebellion. We feel a just pride in the confidence they command; but we should not forget that, although it has been less than a quarter of a century since the first of them were issued, and a sense of what we owe to them is fresh in the public recollection, we have already heard loud talk about "bloated bondholders," and witnessed a most determined movement to depreciate the national securities, in the proposition to pay them in cheap and irredeemable paper, which is nothing less than partial repudiation. Let the spirit that makes war on the obligations of States and their subordinate communities remain unchecked and unrebuked, and no man can tell how soon, and with what result, it may attack the bonded pledges of the nation. They are no more sacred than those of the States. It is true that the Government may be so firmly established on the basis of a reconstructed Union that its life would not be endangered by the loss of its credit, and it would have no further occasion for the issue and sale of bonds; but is it wise for it to tear away the supports of the bridge that has so recently carried it safely over a fatal chasm?

But are the holders of State bonds in a position to ask the intervention of any one in their behalf? Did they not know of the difficulties in the way of the collection of the bonds when they purchased them, and therefore take them

at their peril? A New York journal, criticising the writer's former article, thus sets forth the argument:

"If there is any class of commodities to which the axiom *caveat emptor* was plainly applicable, it was that species of bonds whose payment is guaranteed by a State as distinguished from the general Government. . . . A glance at our national Constitution, which is neither an inaccessible nor a mysterious document, would disclose to any lawyer the non-existence of any form of process or proceeding by which a State can be compelled to satisfy its creditors."

The fact is, however, that the true meaning of that accessible and non-mysterious document, on the point referred to — namely, the existence or non-existence of a legal means of compelling States to pay their debts — is something over which the lawyers have for many years been about equally divided. While it was admitted that, under the Eleventh Amendment to the Constitution, the individual creditor could not sue the State, it was contended that, as one State could sue another, a State not only had the power, but it was its duty, to take assignments of its citizens' claims against other States in default, and as a trustee collect them in its name. That proposition was supported with great plausibility by Benjamin R. Curtis, so long a distinguished Justice of the United States Supreme Court, in a paper to be found in his collected works, and first appearing in the January number of the NORTH AMERICAN REVIEW for 1844, long before most of the dishonored bonds were issued. The same view of the law was taken by Reverdy Johnson, and some years ago a very able paper in its advocacy, under the caption, "Can States be compelled to pay their debts?" from the pen of Gen. Bradley Johnson, appeared in the "American Law Review." So clear did the right appear to be, that the States of New York and New Hampshire, whose legislatures contained some gentlemen of very respectable legal acquirements, passed acts authorizing suits to be brought in their names against defaulting States, on such bonds as might be transferred to them by their citizens. The recent adverse ruling of our Supreme Court was not made until long after all the bonds had been issued and marketed. It is, therefore, evident that when the purchasers took the securities, it was with no knowledge or warning that the courts of the country would be locked against them in case the debtor States made default; although, of course, when they bought paper carrying the great seals and indorsements of American States, it was with no expecta-

tion that they would ever have to go to court, and proceed against its makers as they would against hair-brained speculators that had oversold their credit, or dishonest jobbers in the credulity of the investing public. They assumed — and did they not have a right to assume? — undoubtedly, in most cases without consulting their lawyers, or engaging in the study of constitutional lore, that our great and prosperous commonwealths could be trusted to repay borrowed money without compulsion.

But would it be right or proper to make the people of one State — and it a State that sustains its credit — pay, or help to pay, the debt of another State, particularly if the latter is perfectly able to pay its own debt? Or, as one newspaper reviewer puts it, make the innocent pay for the guilty? Hardly the correct thing, the writer admits; but at the same time there may be cases in which it would be to the interest of the innocent to pay for the guilty, and wise to do so. However, in this instance, that is not what the writer has suggested or contends for. He does not propose to elaborate a scheme of settlement, which is something that any competent legislator could do; but, to meet the appearance of inequality and inequity referred to, he would remark that it could be easily removed by an arrangement for the assumption by the general Government of the present bonded debts of all the States, whether in default or not, and for adequate compensation to those that owe nothing or but small amounts. So far as such an arrangement would make a place for the surplus revenue of the Government, which has become a troublesome element, it would work no disadvantage. In what way could the surplus be better disposed of than in redeeming the nation's tarnished honor? And while probably increasing the national bonded debt somewhat, though not oppressively, it would not necessarily on that account be objectionable. It is no secret that the rapid disappearance of the national securities threatens, by crippling the national banking system, to become an embarrassment to business, and an increase of Government paper at this time would be a relief rather than a public detriment. Indeed, it would be a most excellent thing if we had fewer local securities, and more of those of the general Government. An arrangement by which the issue of all State and municipal bonds would stop, and their places, as far as necessary, be taken by obligations of the nation, would be most beneficent. And why not have such an arrangement, if there is no

legal impediment? The abuse of the bond-making prerogative, by both municipalities and States, has been notorious and prodigious. The amount of paper put forth has often been excessive; the execution so defective that our law books are filled with reports of bond cases; the payment so uncertain as to create a crying public scandal. The result is, that nearly all such paper has come to be looked upon with suspicion, and, even if perfectly good, can only be negotiated at a sacrifice. So offensive has become the whole business that several of the States have, by constitutional prohibition, cut off altogether the authority to issue municipal obligations. And yet there are many communities, especially cities, that cannot well get on and make needful improvements without the use of their credit, and the coupon bond is by far the most convenient form of its employment. If, instead of the community issuing its own paper, bearing a high rate of interest, and having to be disposed of at a heavy discount, with the possibility, if not probability, of litigation and discredit following, it could, under a system of taxation that would guarantee principal and interest, be supplied with an appropriate amount of United States Government paper, carrying a low rate of interest, and negotiable at par or a premium, with no trouble or scandal to follow, how much better it would be for all concerned. The money-saving to all parties would be immense. And such an arrangement would be less radical and revolutionary than the change from the old method of local banks supplying a paper currency to the national banking system, and in many respects a parallel proceeding. Certain it is that a State, as long as it cannot be made by law to pay its debts, should have no privilege of issuing paper of any kind. Nor would such a limitation be an infringement upon the just powers of the so-called sovereign States, because in financial matters the States are not sovereign. They cannot coin money; they cannot emit bills of credit; they cannot grant letters of marque and reprisal; they cannot do a general banking business; all of which are necessary prerogatives of a sovereign. The only thing they can do that is an act of unmistakable sovereignty, is to run head over ears in debt and contemptuously snap their fingers in the faces of their creditors when pay-day comes.

But the question now is, What is to be done with the repudiated paper that the States have already issued? It certainly

does not look as if the States themselves, even if not hopelessly smitten with what some one has described as "the leprosy of repudiation," would within any reasonable period take steps for its settlement, and the nominal prices it commands in the market show that its owners have no such expectation. Popular sentiment in the delinquent States does not appear to be running in the direction of good faith to creditors. Such of their better and more sagacious citizens as have been fighting the battle for public honor and honesty seem to be losing their courage or their influence, and the power is more and more drifting into the hands of that class of demagogues who find in repudiation an issue on which they can rally the masses of the people, and especially the more ignorant and impecunious, to their support. Intelligent taxpayers are rarely repudiators. It was but a few years ago that Governor Holliday seemed to speak the public sentiment of Virginia in favor of maintaining the integrity and good name of that commonwealth, and now its legislature has before it a proposition—notwithstanding all the adjustments and re-adjustments made with the creditors—to repudiate the State's debt *in toto*. The immediate predecessors of Tennessee's present repudiation governor were "debt-payers." Four years ago, Arkansas defeated at the polls a proposed amendment to the State Constitution to repudiate most of her debt; but she has just ratified the same amendment by one hundred thousand majority. Until the populations of the defaulting States can be largely renovated by the introduction, through immigration,—necessarily a slow process,—of more sagacious and public-spirited elements, it would seem as if no equitable or satisfactory agreement with their creditors can be hoped for.

It remains, then, to inquire what the general Government, which, as already shown, is directly responsible for the existence of part of the debts, and largely responsible for the treatment that all of them are receiving, will do in the premises. Two courses of action are open to it. First, it can try to rescind the Eleventh Amendment to the Constitution, and give the creditors of States the redress they originally had; second, it can pay or compromise the debts. In executing the first-mentioned course, the repealing amendment would have to be submitted by a two-thirds vote of both houses of Congress, and then it would need to be ratified by the legislatures of three-fourths of the States.

After its adoption, the creditors, who are scattered all over the civilized world, could bring their actions in the United States Supreme Court, the slowest tribunal on earth, and, having obtained judgments there, would then be ready to join issue with the debtor States in the struggle to enforce execution, the one side urging and the other resisting the mandatory forces of the law. By the time that business was settled, it is safe to say the present generation of creditors, who have already waited from twenty to forty years for their money, would be dead and buried. However, as more than one-fourth of the States—twelve out of thirty-eight—are repudiators, there would be no likelihood of the amendment's ratification. As to the other suggested course, it must be admitted that our people generally do not exhibit any great eagerness for its adoption. They seem to look upon repudiation as our national skeleton, which it is, and think that the better policy to pursue toward it is to lock it in the closet as securely as possible, and say nothing about it. The reticence of some of our public personages and bodies on the subject is remarkable.

Once a year, for several seasons, the leading bankers of the country have been accustomed to meet in convention, to consider and discuss questions relating to the country's finances. It might be supposed that the breach of public contracts amounting to over three hundred millions of dollars, which, by undermining the general credit, weakens the security of all obligations, would be one of the first topics to command the attention of such an assemblage. But although there has been more than one endeavor to bring the subject to the bankers' consideration, nothing concerning it has yet been heard from them.

Our lawyers have a national association, and once a year the leading lights of the profession have met and concentrated their radiance upon such subjects in their line as seemed to need illumination. It would be inferred that the matter of bond repudiation would peculiarly recommend itself to gentlemen whose business it is to mend broken contracts. But although they have talked at their meetings about nearly everything under the sun, that one subject has not yet come to their notice.

Every four years our great political parties have had national conventions, made up of delegates from all parts of the country, and although these bodies have been accustomed to prepare long

platforms covering nearly everything supposed to concern the public, they have had nothing to say about State repudiation. Indeed, they do not appear to have learned that there are repudiations and repudiators, since at the latest national convention of the party that has claimed to be *par excellence* the guardian of the public faith and the national honor, we are told by the Associated Press reporter that, when the most conspicuous repudiator in the land appeared upon the floor as a candidate for participation in its proceedings, he was "received with tremendous applause lasting for several minutes."

The writer cannot just now recall the place and time where and when any one of the many regular synods of our religious denominations, convened of course to advance the cause of that morality which embraces the Eighth Commandment, has whispered, much less thundered, against the sin of organized violation of public contracts, of which our States and smaller communities have given so many glaring exhibitions.

The callousness of the people of the repudiating States to the dishonor and turpitude of their communities, is a painful phenomenon, and ominous for their moral and political future; but it is not more strange or discouraging than the indifference to that matter of the people of the other States, who share in the discredit without receiving any of the supposed benefits. But perhaps when we see the President, and Cabinet ministers, and other high officials dealing out the patronage of the Government in aid of a movement the basis and avowed object of which is repudiation, in exchange for partisan favors, such things ought not to surprise us.

The idea with most of our people seems to be that, if nothing is said about repudiation of public debts, it will get to be an old story, the public will lose sight of it, the bondholders will die, the bonds themselves will be destroyed or lost, and the whole matter will be forgotten. If there were no remedy for the evil, probably that would be the better course to adopt; but when we have a government with all necessary power in the premises, with an embarrassing surplus of riches, with the opportunity presented to deal with the question under the most advantageous conditions, and undeniably under a high moral if not legal obligation to take it in hand and forever put it at rest, it is very questionable if that would be the wiser policy. Letting the evil alone is only letting it grow. The defaulted State indebtedness

is now increasing, on interest account, at the rate of eighteen millions of dollars per annum; and certainly the discredit attendant upon its non-payment is not diminishing. History will not forget it, though we may try to do so. The financial wounds of our public creditors may be assuaged by the lapse of years, and all traces of them disappear, but time will not remove the scar from the nation's honor.

> "The deep disgrace, the dark, abhorrent stain —
> O'er it oblivion's flood will roll in vain."

Formidable as the obligation, at first glance, may appear, and important as it is to those immediately interested, it is really a very small affair for such a nation as ours. If paid in full and immediately, it would be a tax of less than six dollars per head of our population — a light matter to weigh against the honor of every man, woman, and child in America, and the value of every debenture we have outstanding or may issue.

It is idle to claim, as has been claimed, that the settlement of the States' liabilities, as proposed, would compel the general Government to pay the Confederate debt and many other demands. For that conclusion there is no earthly reason. The case is one to be decided on its own circumstances and merits. When the Government has heretofore assumed debts of the States, as it has twice done, and distributed surplus revenue and lands among them,— which is the same thing in principle,— it has not found itself compelled to take care of everybody's obligations. In doing what is now proposed, it would not be making precedent, it would be following precedent.

Instead of going out of the way to hunt up objections, treating the business as if it were a pound-of-flesh affair, and urging reasons that are excuses rather than arguments for doing nothing, we ought to remember that this is a matter that should not be decided on narrow and technical grounds; that the general Government holds a paternal relation to the indebted States; that the honor and character of the whole nation are concerned; and that we as a community can much better afford to be liberal than unjust. That the general Government is blameless in the matter of State repudiation, will not be claimed by any one. The extent of its liability is the only question. That liability, involving a breach of faith with citizens of every civilized country, and thus carrying a world-wide reproach, is one that no

nation on earth can afford to ignore. That the Government will, sooner or later, make good the losses of the public creditors, can hardly be questioned; but how much better to do so while those who furnished the money are alive and can enjoy the benefits. Non-action, at all events, will not answer. To do nothing while a great public injustice is conceded to exist, and we as a people have full power so to shape laws and constitutions as to make it right, will be to acknowledge ourselves a nation of rascals. Rather than rest under a charge so serious, it would be preferable for us, in every conceivable sense, to pay the involved demands to the last penny, and thus acquit ourselves of every obligation, win the world's esteem by a magnanimous deed, and give our troublesome national skeleton an honorable burial.

JOHN F. HUME.

FRIENDSHIP IN ENGLISH POETRY.

MR. JOHN STUART MILL has this remarkable passage in his autobiography:

"——— was a man of very quick and strong sensibilities; but, like most Englishmen who have feelings, he found his feelings very much in his way, . . . and, looking for happiness elsewhere than in them, he wished that his feelings should be deadened rather than quickened. And, in truth, the English character and English circumstances make it so seldom possible to derive happiness from the exercise of the sympathies, that it is not wonderful if they count for little in an Englishman's scheme of happiness. In most other countries the paramount importance of the sympathies as a constituent of individual happiness is an axiom, taken for granted, rather than needing any formal statement; but most English thinkers seem to regard them as necessary evils, required for keeping men's actions benevolent and compassionate, but not as necessary elements of their happiness."

It is well to see ourselves as we appear to the eyes of foreigners, and a foreigner Mr. Mill may be almost said to have been, so entirely had he been brought up aloof from the great currents of English tradition, so persistently had his early views and character been molded in antagonism to the sentiments of English society. We cannot, therefore, expect to learn from him what is best in the inner life of England; but, as to its defects, we may gather something from his not too favorable verdict.

It is, no doubt, the tradition of the English gentleman, whatever feelings he may have, to do his best to conceal them. The temperament of the Teutonic races, we know, is undemonstrative, as compared with the peoples of the South; and in England this natural self-repression is increased by the training that our cultivated men receive in the public schools and by the discipline of the army and the great public professions. These accustom men not only to control, but to disguise, all their deepest emotions. Indeed, the habitual manner of Englishmen, after they have passed childhood, confines all show of affection to members

of their own home circle, sometimes bestowing it scantily enough even upon these. This, perhaps, is the reason why Englishmen are so little liked by foreigners; the reason, too, why they succeed so badly in conciliating conquered races. All expression of sympathy toward strangers they restrain so sternly, that these believe they have no sympathy to express. Hence, while they respect the strength and the justice of the English, they dislike them.

Strangers who saw only this side of English character might naturally fancy that this rigid self-restraint would stifle all poetry. Yet, in spite of this habitual frigidity, it may be as the natural recoil from it, we have in our poetry as strong and deep a volume of emotion as any European nation can show. It is not only that the poet is by nature a fiery creature, incapable of toning down his spontaneous feelings to the rules of social convention, but he has in his art a safety-valve for the strongest emotion, a medium through which he can express feelings that he would not venture to whisper into the friendliest ear, much less to commit to the language of plain prose. Perhaps, too, the frigid decorum that dominates English society may serve to intensify by contrast the warmth of pent-up emotion that seeks relief in poetry. Just as we see that persons who are habitually reserved, if once they break through their wonted bonds, lay stronger hold on the hearts of their hearers than those who are always effusive.

In turning to our English poets, to see how they have dealt with the affection of friendship, it is necessary to remember that the word with us bears a much more definite and restricted meaning than φιλία had among the Greeks. The Greek word includes all finest affection, all highest heart-sympathy, whether bestowed on those within the range of kindred or on those beyond it; while it is to regard for the latter, for those who are not kindred, but chosen by affection, that we generally confine the term friendship. Again, in Greece, for lack of the higher family life, and of a religion in which the heart could rest, φιλία absorbed into itself most of the pure and tender devotion that in modern life enters into the conjugal and the parental affections. And with us religion wears so much more inward and attractive an aspect, that it draws to itself much for which affectionate and devout natures of the old time found an outlet only in φιλία. But while this may be said on the one side, it is

no less true, on the other, that hearts into which the Christian spirit has found entrance have thereby gained a great background, to elevate and hallow earthly affection by heavenward sympathy and immortal hope.

If England has poured forth her genuine heart through any literary channel, it is through her poetry. Therein we see the deepest affections, and especially the friendships of many of her most gifted children, age after age, embalmed in forms of undying beauty. And if, in attempting to bring together a few of the most striking of these records, I confine myself to the chief poets of each succeeding period, I am well aware that I must needs pass unnoticed many another record, as worthy of remembrance as those I have cited. Still, it will be something to have suggested, however cursorily, a line of thought that other, younger persons may at leisure follow out for themselves.

A friend and younger contemporary of Shakspere, one of his boon companions, who had shared with him many a merry-meeting, and, as tradition says, that last merry-meeting at Stratford immediately before his fatal illness, has left a record of his admiration and affection for him. Ben Jonson, who was a stern enough censor of most men, speaks of gentle Will as "honest, and of an open and free nature," and says that his "mind and manners are reflected in his well-tuned and well-filed lines." In the poem addressed "To the Memory of my Beloved Master, William Shakspere," Jonson apostrophizes him as

> "Soul of the age!
> The applause, delight, the wonder of our stage!"
>
> "Triumph, my Britain! thou hast one to show,
> To whom all scenes of Europe homage owe.
> He was not of an age, but for all time."
>
> "Sweet swan of Avon, what a sight it were
> To see thee in our waters yet appear,
> And make those flights upon the banks of Thames,
> That so did take Eliza and our James!
> Shine forth, thou Star of Poets, and with rage
> Or influence chide or cheer the drooping stage,
> Which, since thy flight from hence, hath mourned like night,
> And despairs day, but for thy volume's light."

These lines, if less grand than Milton's well-known epitaph, show quite as high an appreciation of Shakspere's genius. In

all that Ben Jonson has said of him, both in verse and in his recorded sayings, there is not only admiration for him as a poet, but love for him as a friend.

With so many more important things before me, I need hardly pause over the lines that Jonson's host, Drummond of Hawthornden, styling himself "Damon," addressed to his friend, or brother poet, Sir William Alexander, as "Alexis." Pass on a little later, and we come to Abraham Cowley. No poet's reputation ever underwent such a strange revolution. In his own day he was esteemed the greatest poet of the time, the equal of the best of the Greeks and Romans. Within seventy years from his death, Pope asked, "who now reads Cowley?" If that question could be asked in Pope's time, how much more may it be asked now? What is the cause of this strange reversal of contemporary judgment? Cowley was the victim of that false taste which, with many changes, had reigned since euphuism set in. He was the king of the fantastic school of poetry, in which pedantry, conceit, metaphysics, and forced wit took the place of natural thought and feeling and of natural language. In him the fashion of the day culminated, and he has paid the penalty by permanent oblivion. Yet, when moved by genuine affection and sorrow, he could shake off all his mannerisms and contortions, and pour forth his feelings in as pure, simple, and manly a style as any poet. The poetry of the seventeenth century contains no more feelingly expressed lament than that in which Cowley mourned the death of Mr. William Hervey:

"My sweet companion, and my gentle peer,
Why hast thou left me thus unkindly here,
Thy end forever, and my life to moan?
O, thou hast left me all alone!
Thy soul and body, when death's agony
Besieged around thy noble heart,
Did not with more reluctance part,
Than I, my dearest friend, do part from thee.

"My dearest friend, would I had died for thee!
Life and this world henceforth will tedious be,
Nor shall I know hereafter what to do,
If now my griefs prove tedious, too.

"He was my friend, the truest friend on earth;
A strong and mighty influence joined our birth;
Nor did we envy the most sounding name
By friendship given of old to fame.

. . . . . .

"Ye fields of Cambridge, our dear Cambridge, say,
Have ye not seen us walking every day?
Was there a tree about which did not know
The love betwixt us two?

"O, if the glorious saints cease not to know
Their wretched friends who fight with life below;
Thy flame to me does still the same abide,
Only more pure and rarefied.
There while immortal hymns thou dost rehearse,
Thou dost with holy pity see
Our dull and earthly poesy,
Where grief and misery can be joined with verse."

Compare this with most of Cowley's poetry, and you will at once see the difference. It is a perilous thing for a poet to commit himself to the fashions of the hour. For not only the fashions of style change, but the fashions of thought also change, and with them the intellectual language. Only the pure language of the heart changes not. That is simple and universal, and for all time.

Milton was a solitary, self-sustained soul, and needed less than most men the support of intimate friendship. Either he dwelt apart, feeding on "the lonely rapture of a lonely mind," or he threw himself into the current of political and ecclesiastical strife. Once, however, in his twenty-ninth year, he deigned to dedicate one poem to the memory of a friend. Over his college companion, Edward King, a young man of great promise, who perished by shipwreck in the Irish Channel, Milton made a lament that for splendor of imagery and diction has been well said to be "unmatched in the whole range of English poetry, and was never again equaled by himself." "Lycidas" has been well called the tide-mark of the brightest inspiration of the seventeenth century. It glows, indeed, with a burning passion, but it is not the passion of personal affection, mourning an irreparable loss; for Milton's relation to King was not that of devoted friendship. Rather the passion of the poem comes from his long-pent brooding over the fallen state of the church, and

indignation at its corruptions. This is the center of the poem, and supplies its central heat. For the rest, its form is borrowed from the artificial model of the Greek idyl or the Latin pastoral. And nothing more proves Milton's marvelous power than his ability to fuse such seemingly discordant elements—the frigid, classic Arcadianism and the Puritan fervor—into so harmonious and splendid a whole. Perhaps no other poet that ever lived could have succeeded in so difficult a task. But none the less for this we cannot admit it to be one of the great poems of friendship, one in which that affection is paramount. The poet and the critic will always reserve for "Lycidas" their highest admiration; but personal affection will look elsewhere for tones to which its tenderness can respond.

The same may be said of two other poems, which have both been named in conjunction with "Lycidas"—the "Adonais" of Shelley and Mr. Arnold's "Thyrsis." Each of these, starting from the theme of friendship, passes off into splendid imaginative effusions; but they do not suggest deep personal sorrow for the lost friend. As to "Adonais," I quite agree with the judgment recently expressed, that it is probably Shelley's highest poetical achievement, and has in the world's eye united Shelley and Keats in a brotherhood that no time will dissolve. Yet the excellence of the poem lies not in the depth of personal attachment, but in the imaginative glory with which the life of Keats is invested. Intimate friendship could not be expected from the circumstances under which the two poets were acquainted with each other. They had met from time to time under the roof of Leigh Hunt, but had never passed much time together. For the early poems of Keats, "Endymion" or the others, Shelley had no great relish; it was only when Keats's marvelous fragment, "Hyperion," appeared, that he was kindled to genuine admiration. And when Shelley, who had hoped to meet Keats in Italy, heard of his untimely death at Rome, his natural regret was roused to a deeper and more indignant sorrow by his belief that this gifted young poet had been done to death by the same unfair and unkindly criticism that had aimed against Shelley himself some of its most envenomed shafts. This, rather than the wail of bereaved friendship, is the inspiration of "Adonais." The poem itself is not, like "Lycidas," a pastoral in form, but it is more or less informed with classical imagery — invocations of Urania, and personified dreams,

desires, and adorations. Some of the early stanzas are somewhat vague; but the poem grows in power as it proceeds, and becomes more personal in the description of Byron as

> "The pilgrim of eternity, whose fame
> Over his living head like heaven was bent,
> An early but enduring monument,
> Came veiling all the lightnings of his song
> In sorrow."

And of Shelley himself as

> "A pard-like spirit, beautiful and swift;
> A love in desolation marked; a power
> Girt round with weakness."

Both of them come to mourn over the dead poet. At least, the poem culminates in these two stanzas with a clearness of outline and a majestic portraiture unusual in Shelley:

> "The inheritors of unfulfilled renown
> Rose from their thrones, built beyond mortal thought,
> Far in the unapparent.—Chatterton
> Rose pale, his solemn agony had not
> Yet faded from him; Sidney, as he fought,
> And as he fell, and as he lived and loved,
> Sublimely mild, a spirit without spot,
> Arose; and Lucan, by his death approved.
> Oblivion, as they rose, shrank like a thing reproved.
>
> "And many more whose names on earth are dark,
> But whose transmitted effluence cannot die,
> So long as fire outlives the parent spark,
> Rose, robed in dazzling immortality.
> 'Thou art become as one of us,' they cry;
> 'It was for thee yon kingless sphere has long
> Swung blind in unattended majesty,
> Silent alone amid a heaven of song.
> Assume thy wingèd throne, thou vesper of our throng!'"

This is grand poetry; yet for all its merit, it is, as I have said, the expression of poetic sympathy in admiration, not the voice of friend bewailing friend. As for "Thyrsis," one of the finest and most perfect of all Mr. Arnold's poems, this only need be said: no one admires its beauty more than I do, but I admire it rather as an idealized description of Oxford life and scenery, not so much as a true portrait of Arthur Clough, whose

broad brow and manly form were little in keeping with the Arcadian disguise of Corydon.

To go back to the time of Milton, from which I have digressed, there is nothing in the later years of the seventeenth century, or in the first half of the eighteenth, to detain us. There is not much in Dryden's "Lines to the pious memory of the accomplished young lady Mrs. Anne Killigrew," over which we need linger, though they do contain here and there a good verse, such as:

> "Her wit was more than man, her innocence a child."

Dryden and Pope, however, kept their strength for satire and invective, and this style does not easily comport with hearty affectionateness. Indeed, till after the middle of the eighteenth century, English poetry was passing through a frigid zone, in which the tender feelings either died down, or at least kept silence.

Toward the close of last century a warmer breath touched the heart of society and set the deeper springs of feeling once more a-murmuring. This is seen conspicuously in Burns, who in his poetic epistles to his friends breathed forth his homely feelings with humor and pathos happily intermingled. Most of these friends were boon companions, "ranting, roaring billies," as he calls them, and the epistles to them have at times an over-alcoholic flavor. His sweetest songs he reserved for the tenderer sex. He could, however, even for his male friends, feel and express a serious and manly affection, as in his beautiful lament for the death of James, Earl of Glencairn. That nobleman had befriended the struggling poet more than any other of his order had done, and of this Burns bore a grateful and affectionate remembrance, which he commemorated not only in the lament, but by naming one of his sons James Glencairn, after his good benefactor. Though this was one of those unequal friendships of which Aristotle speaks, it was on both sides eminently sincere and honorable.

> "The bridegroom may forget the bride
> Was made his wedded wife yestreen;
> The monarch may forget the crown
> That on his head an hour has been;

"The mother may forget the child
That smiles sae sweetly on her knee;
But I'll remember thee, Glencairn,
And a' that thou hast done for me."

The gentle-hearted Cowper was by nature well fitted for friendship, but he lived so secluded a life that he had few men for friends. In his retirement his time was spent almost entirely with ladies. They watched over his weak bodily health, and did what they could to cheer his drooping spirits. One especially, Mary Unwin, the mother of his friend William Unwin, tended him for years. Their feelings toward each other, whatever they may at one time have been, had long passed into those of simple friendship; and toward the close of Mrs. Unwin's life Cowper addressed to her one of the few sonnets he ever composed, and there is hardly a sweeter in the English language:

"Mary! I want a lyre with other strings,
Such aid from Heaven as some have feigned they drew,
An eloquence scarce given to mortals, new
And undebased by praise of meaner things,
That ere through age or woe I shed my wings,
I may record thy worth with honor due,
In verse as musical as thou art true,
And that immortalizes whom it sings.
But thou hast little need. There is a book
By seraphs writ with beams of heavenly light,
On which the eyes of God not seldom look,
A chronicle of actions just and bright:
There all thy deeds, my faithful Mary, shine;
And, since thou own'st that praise, I spare thee mine."

With the opening of the present century the affections found an utterance in poetry fuller in volume, more varied and subtle in tone, than in any former period of our, perhaps of any, literature. There were fellowships among the poets that have left a poetic record, such as we have seen in the "Adonais." There was the triumvirate of Wordsworth, Coleridge, and Southey, and of this there are several memorials. Perhaps one of the most noticeable is the poem that Coleridge addressed to Wordsworth, after hearing him read aloud his poem "The Prelude." Seldom has poet had such a listener, one so gifted to comprehend his highest thoughts, and to respond to them in a strain like this:

"Friend of the wise! and teacher of the good!
Into my heart have I received that lay
More than historic — that prophetic lay,
Wherein (high theme by thee first sung aright)
Of the foundations and the building up
Of a human spirit thou hast dared to tell
What may be told.

"An Orphic song, indeed,
A song divine of high and passionate thoughts
To their own music chanted! O great Bard,
Ere yet that last strain dying awed the air,
With steadfast eye I viewed thee in the choir
Of ever-enduring men. The truly great
Have all one age, and from one visible space
Shed influence.

"Eve following eve,
Dear tranquil time, when the sweet sense of Home
Is sweetest! Moments for their own sake hailed,
And more desired, more precious for thy song,
In silence listening, like a devout child,
My soul lay pensive, by thy various strain
Driven as in surges, now beneath the stars
With momentary stars of my own birth,
Fair constellated foam, still darting off
Into the darkness; now a tranquil sea
Outspread and bright, yet swelling to the moon.

"And then, O Friend, my comforter and guide!
Strong in thyself, and powerful to give strength!
Thy long-sustained song finally closed,
And thy deep voice had ceased; yet thou thyself
Wert still before my eyes, and round us both
That happy vision of beloved faces.
Scarce conscious, and yet conscious of its close,
I sate, my being blended in one thought
(Thought was it? or aspiration? or resolve?)
Absorbed, yet hanging still upon the sound,
And when I rose I found myself in prayer."

More than thirty years passed on, and Wordsworth had seen the poets, his contemporaries and his friends, one by one disappear — Walter Scott, Coleridge, Charles Lamb, Crabbe, Felicia Hemans, and the Ettrick Shepherd. On hearing of the death of the last of these, he was roused to one more effusion, almost

his latest, and worthy of his earliest inspiration. This is the way he spoke of Coleridge:

"Nor has the rolling year thrice measured,
From sign to sign, its steadfast course,
Since every mortal power of Coleridge
Was frozen at its marvelous source.

"The 'rapt one of the godlike forehead,
The heaven-eyed creature sleeps in earth,
And Lamb, the frolic and the gentle,
Has vanished from his lonely hearth.

"Like clouds that rake the mountain summits,
Or waves that own no curbing hand,
How fast has brother followed brother,
From sunshine to the sunless land!

"While I, whose lids from infant slumbers
Were earlier raised, remain to hear
A timid voice that asks in whispers,
'Who next will drop and disappear?'"

Few men ever lived of so friendly disposition as Walter Scott. Wherever he went, his spirit, at once manly and generous and healthful and homely, drew men to his side. To the early friends of his boyhood and youth he was constancy itself, and no change in his fortunes or reputation made him change toward them. The style of his poetry did not admit of many personal allusions. But in those delightful introductions to the several cantos of "Marmion," you have Scott unbosoming himself to his several friends—Erskine, Skene, Heber, and the rest—in the most natural, unconstrained way, pouring forth his changing feelings, now grave, now gay, in verse that, if not highly wrought, is as healthy and sweet as the breeze that blows over his own border hills. Several of these introductions were written at that season when, summer long past, and autumn ending, he was setting face once more toward town and winter work; and certainly they have an autumnal tone, a pensiveness that we do not usually associate with Scott, but which lay deep in his nature, for all his hilarity. It is thus he speaks to his friend Marriot:

"When musing on companions gone,
We doubly feel ourselves alone,
Something, my friend, we yet may gain,
There is a pleasure in this pain:
It soothes the love of lonely rest
Deep in each gentle heart impressed.

"Whispering a mingled sentiment
'Twixt resignation and content.

"Oft in my mind such thoughts awake,
By lone St. Mary's silent lake;
Thou know'st it well, nor fen nor sedge
Pollute the pure lake's crystal edge;
Abrupt and sheer the mountains sink
At once upon the level brink.

"There 's nothing left to fancy's guess,
You see that all is loneliness.

"Your horse's hoof-tread sounds too rude,
So stilly is the solitude."

To lovers of Scott these introductions will always be dear, for they reveal "the mighty minstrel" in his most natural and homely guise, opening his friendly heart in free converse with his chosen companions, about the things he most loved, his field sports, his border hills as they look under the changing seasons, his favorite tastes and studies, mingled with pensive reflections on life and man's mortality.

Scott and Wordsworth were not so intimate as Wordsworth and Coleridge were; for they met only at intervals of years, as when Wordsworth crossed the border and visited Scott at Lasswade, in that famous Scottish tour of 1803; or when Scott visited the lakes, and had to adjourn from the cottage of the water-drinking poet to the Grasmere hostelry to get his daily glass of beer. But from that first meeting on the banks of Esk, when Scott repeated to Wordsworth and his sister parts of his yet unpublished "Lay," down to Wordsworth's farewell visit to Abbotsford with his daughter in September, 1831, nothing could be more hearty, even affectionate, than their intercourse. In poetry, indeed, as in other things, their style and tastes were different; but each respected and admired the manly

character and sterling genius of the other. No poet has left a more touching memorial of another than Wordsworth has left of Scott in his "Yarrow Revisited," in which he commemorated that autumn day when the two poets visited Yarrow together for the last time, just before Scott sailed for Italy:

"Once more, by Newark's castle-gate,
Long left without a warder,
I stood, looked, listened, and with thee,
Great minstrel of the border."

"And if, as Yarrow, through the woods
And down the meadow ranging,
Did meet us with unaltered face,
Though we were changed and changing,"—

Yet still they made a day of happy hours, their happy days recalling. Of the rest of that pathetic visit, let me give Wordsworth's own account:

"On our return in the afternoon [from Yarrow], we had to cross the Tweed, directly opposite Abbotsford. The wheels of our carriage grated upon the pebbles in the bed of the stream that flows there somewhat rapidly. A rich but sad light, of rather a purple than a golden hue, was spread over the Eildon Hills at that moment; and thinking it probable that it might be the last time that Scott would cross the stream, I was not a little moved, and expressed some of my feelings in the sonnet, 'On the Departure of Sir Walter Scott from Abbotsford for Naples.'"

Those lines recall, only to surpass, Horace's ode to the ship that was to bear Virgil to Athens:

"A trouble, not of clouds, or weeping rain,
Nor of the setting sun's pathetic light
Engendered, hangs on Eildon's triple height:
Spirits of Power, assembled there, complain
For kindred power departing from their sight;
While Tweed, best pleased in chanting a blithe strain,
Saddens his voice again, and yet again.
Lift up your hearts, ye mourners! for the might
Of the whole world's good wishes with him goes;
Blessings and prayers, in nobler retinue
Than sceptered king or laurelled conqueror knows,
Follow this wondrous potentate. Be true,
Ye winds of ocean, and the midland sea,
Wafting your charge to soft Parthenope!"

Again, six years later, when musing in "Aqua-pendente," Wordsworth's thoughts went back to Scott, and to

> "Old Helvellyn's brow,
> Where once together, in his day of strength,
> We stood rejoicing, as if earth were free
> From sorrow, like the sky above our heads."

And then he reverts to that parting day at Abbotsford:

> "Still in more than ear-deep seats,
> Survives for me, and cannot but survive,
> The tone of voice which wedded borrowed words
> To sadness not their own, when, with faint smile,
> Forced by intent to take from speech its edge,
> He said, 'When I am there, although 'tis fair,
> 'Twill be another Yarrow.'"

And then he wonders that he himself, though Scott's elder, should still be able to take pleasure in that loveliness of Italian nature in art, which

> "Failed to reanimate and but feebly cheered
> The whole world's darling."

But the greatest, most substantial, most elaborate monument ever reared by poetic hands to a deep affection and life-long sorrow, is that which our own age has seen reared by the Laureate to his friend, in "In Memoriam":

> "My Arthur! whom I shall not see,
> Till all my widowed race be run;
> Dear as the mother to the son,
> More than my brothers are to me."

Certainly English literature contains no other such monument. It is rooted in actual fact, according to that well-known saying of Goethe's that "all good poems are called forth by a real occasion." The depth and permanence of affections and of the sense of bereavement, are the first and central things, and all else the poem contains—feeling, thought, speculation, imagination, broodings on human destiny—flow out of that center, are but the ever-expanding circles that orb over the expanse of the poet's soul from that first central sorrow. To speak fully of all that "In Memoriam" contains, would require, not a few sen-

tences, but a volume. There is, however, less need for this, because the poem is so well known to all; though most, if honest, would confess that they find in it some things hard to be understood. Without saying more, therefore, at present, I am glad to shelter myself under the words of my friend, the late Dr. John Brown, in his beautiful paper upon Arthur Hallam. He says:

"The purity, the temperate but fervent goodness, the firmness and depth of nature, the impassioned logic, the large, sensitive, and liberal heart, the reverence and godly fear of 'That friend of mine who lives in God,' which Arthur Hallam's 'Remains' show, give to 'In Memoriam' the character of exactest portraiture. There is no excessive or misplaced affection here; it is all founded on fact; while everywhere and throughout it all, affection, a love that is wonderful, meets us first and leaves us last, giving form and substance and grace, and the breath of life and love, to everything that the poet's thick-coming fancies so exquisitely frame. . . . Rising, as it were, out of the midst of the gloom of the valley of the shadow of death, how its waters flow on! carrying life, beauty, magnificence — shadows and happy lights, depths of blackness, depths clear as the very body of heaven. How it deepens as it goes, involving larger interests, wider views, 'thoughts that wander through eternity,' greater affections, but still retaining its pure, living waters, its unforgotten burden of love and sorrow. How it visits every region! 'the long, unlovely street, pleasant villages and farms, 'the placid ocean plains,' waste howling wildernesses, green woods, informed with spiritual peace, now within hearing of the minster clock, now of the college bells and the vague hum of the mighty city. And overhead, through all its course, the heaven with its clouds, its sun, moon, and stars; but always and in all places declaring its source; and even when laying its burden of manifold and faithful affection at the feet of the Almighty Father, still remembering whence it came:

'That friend of mine who lives in God,
That God who ever lives and loves.
One God, one law, one element,
And one far-off divine event,
To which the whole creation moves.'

The young man whose memory his fast friend has consecrated in the hearts of all who can be touched by such love and beauty, was in nowise unworthy of all this. It is not for us to say, for it was not given us the sad privilege to know, all the hopes of unaccomplished years; nor can we feel in its fullness all that is meant by

'Such
A friendship as has mastered Time;
Which masters Time, indeed, and is
Eternal, separate from fears:
The all-assuming months and years
Can take no part away from this.'"

It is more than twenty years since Dr. John Brown wrote these words, and time is not likely to reverse his verdict.

Perhaps I ought to close with "In Memoriam" as the culmination of the poetry of a friendship beyond which affection can hardly go. But even after it there are two poems which I am loth to omit. One is Sir Henry Taylor's lines "In Remembrance of the Hon. Edward Ernest Villiers." Aside from their own intrinsic merit, I am the more glad to give these lines in hope that some may be led by their rare and thoughtful beauty to turn again to the rest of his poetry. For am I wrong in thinking that, however much esteemed by a few, the poetry of Henry Taylor has not received from his contemporaries its due meed of honor? The reason may be that, as he himself has said, "in times of rapid movement, light pressures are not easily felt." It may be that young men of poetical temper at the present day have their eyes dazzled by the garish coloring, and their ears filled with the cloying music, that are so much in vogue, so that they cannot appreciate mellow but gentle thoughtfulness, and that calmer, more feeling melody which must be heard in quiet before it can be heard at all. Taylor has habitually avoided too strong and pungent excitements, and has studied a soberer standard of feeling and diction than pleases the taste of this over-stimulated age. Yet the very tempers that most require such a standard set themselves, in general, most decidedly against it. I should like, if possible, to give the whole poem as it stands. He describes his lost friend in this way:

"A grace though melancholy, manly too,
Moulded his being; pensive, grave, serene,
O'er his habitual being and his mien
Unceasing pain, by patience temper'd, threw
A shade of sweet austerity. But seen
In happier hours and by the friendly few,
That curtain of the spirit was withdrawn,
And fancy, light and playful as a fawn,
And reason imp'd with inquisition keen,
Knowledge long sought with ardor ever new,
And wit love-kindled, show'd in colors true
What genial joys with sufferings can consist:
Then did all sternness melt as melts a mist,
Touched by the brightness of the golden dawn,
Aerial heights disclosing valleys green,
And sunlights thrown the woodland tufts between,
And flowers and spangles of the dewy lawn.

"His life was private; safely led, aloof
From the loud world, which yet he understood
Largely and wisely, as no worldling could.
For he, by privilege of his nature proof
Against false glitter, from beneath the roof
Of privacy, as from a cave, survey'd
With steadfast eye its flickering light and shade,
And justly judged for evil and for good.
But whilst he mix'd not, for his own behoof,
In public strife, his spirit glow'd with zeal
For truth and justice as its warp and woof,
For freedom as its signature and seal.
His life thus sacred from the world, discharg'd
From vain ambition and inordinate care,
In virtue exercised, by reverence rare
Lifted, and by humility enlarged,
Became a temple and a place of prayer.
In later years he walked not singly there;
For one was with him, ready at all hours
His griefs, his joys, his inmost thoughts to share,
Who buoyantly his burthens help'd to bear,
And deck'd his altar daily with fresh flowers.

'But farther may we pass not; for the ground
Is holier than the Muse herself may tread;
Nor would I it should echo to a sound
Less solemn than the service for the dead.
Mine is inferior matter,—my own loss,
The loss of dear delights for ever fled,
Of reason's converse by affection fed,
Of wisdom, counsel, solace, that across
Life's dreariest tracks a tender radiance shed.
Friend of my youth! though younger yet my guide,
How much by thy unerring insight clear
I shaped my way of life for many a year.
What thoughtful friendship on thy death-bed died
Friend of my youth, whilst thou wast by my side
Autumnal days still breathed a vernal breath;
How, like a charm, thy life to me supplied
All waste and injury of time and tide,
How like a disenchantment was thy death!"

The other is a lyric by Arthur Clough, perhaps the most full of impulse and of music of any he ever composed. A friend of his, with whom he had long been one in heart and mind, had left him and gone abroad for a time. During their separation a change had come over this friend, so that when they again met Clough felt as though he had become another man. Sen-

sitive as Clough was, he deeply felt the change; but, manly as he also was, he did not succumb to morbid feeling, but looked forward with a larger hope. And this is the way he felt and sang:

"As ships, becalmed at eve, that lay
With canvas drooping, side by side,
Two towers of sail, at dawn of day
Are scarce, long leagues apart, descried;

"When fell the night, upsprung the breeze,
And all the darkling hours they plied,
Nor dreamt but each the self-same seas
By each was cleaving, side by side;

"E'en so — but why the tale reveal
Of those whom, year by year unchanged,
Brief absence joined anew to feel,
Astounded, soul from soul estranged?

"At dead of night their sails were filled,
And onward each rejoicing steered —
Ah! neither blame, for neither willed,
Or wist what first with dawn appeared

"To veer, how vain! on, onward strain,
Brave barks! in light, in darkness, too!
Through winds and tides one compass guides —
To that, and your own selves, be true.

"But, O blithe breeze! and O great seas,
Though ne'er, that earliest parting past,
On your wide plain they join again,
Together lead them home at last.

"One port, methought, alike they sought,
One purpose held, where'er they fare,—
O bounding breeze, O rushing seas,
At last, at last, unite them there!"

Thus it is that poetry finds a voice for some of the many tones of human affection; and, by doing so, strengthens, refines, spiritualizes them. It emphasizes that conviction which all true men feel, that in the exercise of affection only lies their true happiness. "The outward world," says the great preacher, "is found not to be enough for a man, and he looks for some refuge near him, more intimate, more pure, more calm and stable. . . . There is no rest for us except in quietness, confidence, and

affection." We need centers, even in the visible world, to which our feelings may cling, and from centers such as the love of family and the love of friends all other good feelings spring. Without these they have no root, and philanthropy is an empty name. We begin with loving our friends about us, and thence enlarge the circle till it reaches wider and wider toward all men. Affection is first concentrated, then it is expanded.

Human friendship and affection is a main source of religion. The most affectionate natures are the most truly and beautifully religious. There may, indeed, be persons who are religious yet not affectionate, but their religion has a great want; it is unsympathetic, unattractive. The affections, when warm and vivid, do, by their very nature, drive men back upon an eternal world, in the faith and hope that the hindrances they here find to their hearts' full expansion may there be removed. As the late Frederick Maurice says, "Friendships sadly and continually interrupted suggest the belief of an unalterable friendship." Not that we are to imagine that in the one divine friendship human friendships are to be lost or absorbed. Rather we may trust and hope that friendship that has here been true and pure may there be renewed under happier conditions; that "What here is faithfully begun," there "will be completed, not undone."

J. C. Shairp.

INDEX

TO THE

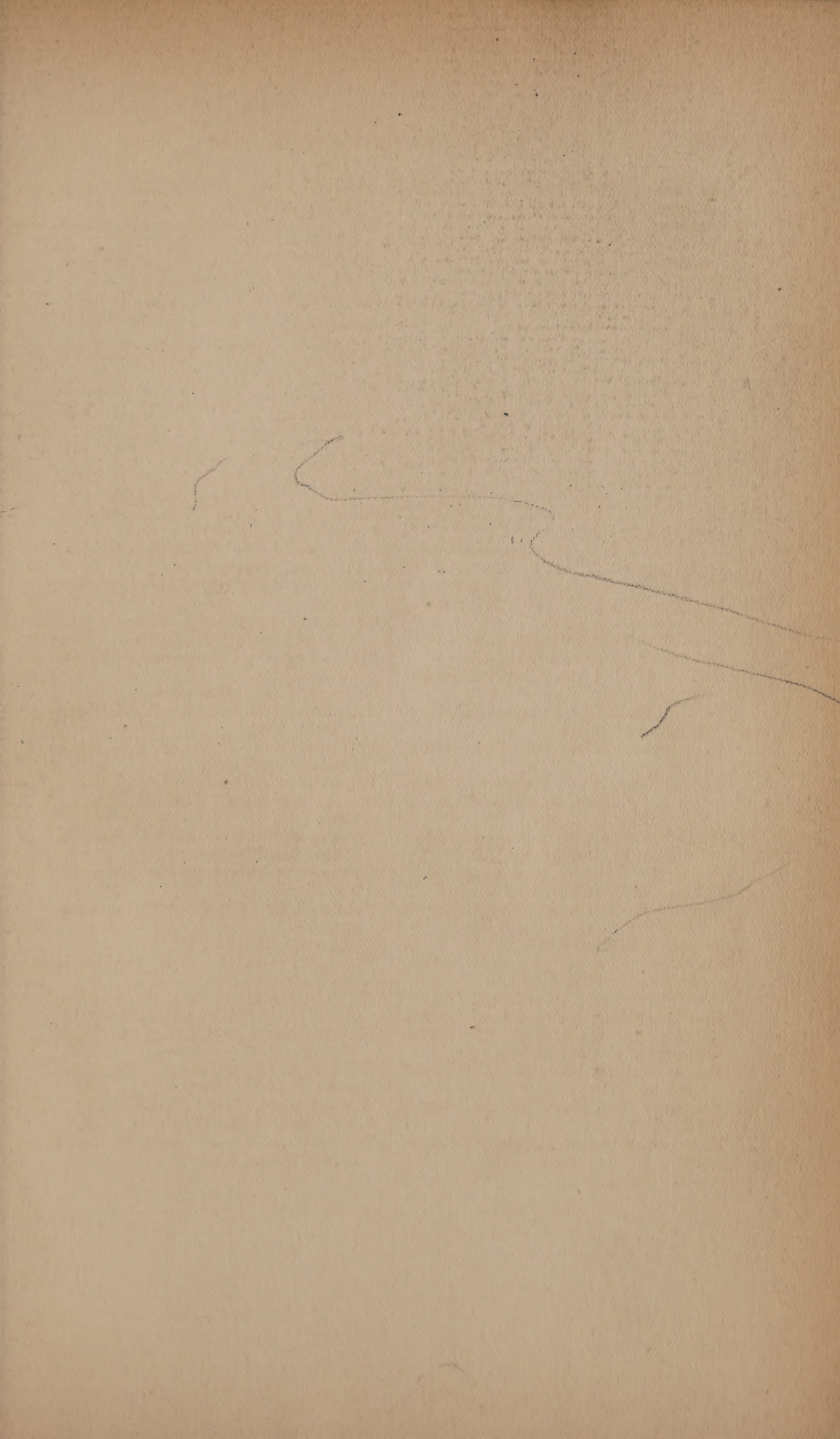
HUNDRED AND THIRTY-NINTH VOLUME

OF THE

North American Review.

ACKERMAN, WILLIAM K. Notes on Railway Management, 531.
African, The, Problem, 417.
American Element, The, in Fiction, 164.
America, Why I Wish to Visit, 310.
Ancestry, Our Remote, 246.
Annexation, The, of Canada, 42.
ARMSTRONG, S. C. The Future of the Negro, 95.
BENDER, P. The Annexation of Canada, 42.
Benefits of the Tariff System, 372.
CAMPBELL, JAMES V. The Encroachments of Capital, 101.
Canada, The Annexation of, 42.
Capital, The Encroachments of, 101.
Capital, Labor and, before the Law, 503.
Centralization, The Drift toward, 125.
Chinese, The Exclusion of the, 256.
Comets, The Origin of, 109.
CONGDON, CHARLES T. Private Vengeance, 67; Over-illustration, 480.
Conversion, The Philosophy of, 324.
COOLEY, T. M. Labor and Capital Before the Law, 503.
CREIGHTON, C. The Origin of Yellow Fever, 335.
CURTIS, GEORGE TICKNOR. The British House of Lords, 547.
DAVIS, NOAH. Marriage and Divorce, 30.
DENSLOW, VAN BUREN. American Economics, 12.
DINGLEY, NELSON, JR. Benefits of the Tariff System, 398.
Divorce, Marriage and, 30.
Divorce Laws, The Need of Liberal, 234.
DOUGLASS, FREDERICK. The Future of the Negro, 84.
DOW, NEAL. Prohibition and Persuasion, 179.
DURST, JOHN H. The Exclusion of the Chinese, 256.
Economics, American, 12.
EMERSON, J. A. The Future of the Negro, 98.
Encroachments of Capital, The, 101.
Evils of the Tariff System, 274.
Fiction, The American Element in, 164.
FROTHINGHAM, O. B. The Philosophy of Conversion, 324.
GARDINER, CHARLES A. The Future of the Negro, 78.
GILLIAM, E. W. The African Problem, 417.
Government Telegraphy, 51.
GREENER, RICHARD T. The Future of the Negro, 88.
HALE, E. E. Half-time in Schools, 443.
HAYNE, ROBERT Y. Shall the Jury System be Abolished? 348.
HARRIS, JOEL CHANDLER. The Future of the Negro, 87.
HAWTHORNE, JULIAN. The American Element in Fiction, 164.
House of Lords, The British, 547.
HUME, JOHN F. Are We a Nation of Rascals? 127; Responsibility for State Roguery, 563.
Illustration, Over, 480.
Industrial Spirit, The Demand of the, 209.
Inspiration and Infallibility, 224.
JESSOPP, AUGUSTUS. Why I Wish to Visit America, 310.

JOHNSON, OLIVER. The Future of the Negro, 93.
Juries and Jurymen, 1.
Jury System, Shall the, be Abolished? 348.
Kings of Tiryns, The Palace of the, 517.
Labor and Capital Before the Law, 503.
LEWIS, DIO. Prohibition and Persuasion, 185.
Lords, The British House of, 547.
LORING, EDWARD G. The Drift Toward Centralization, 155.
Machine Guns, The Development of, 362.
Man and Brute, 145.
Marriage and Divorce, 30.
Maud, The Genesis of Tennyson's, 356.
MEANS, D. McG. Government Telegraphy, 51.
Moral Character in Politics, 301.
MORGAN, JOHN T. The Future of the Negro, 81.
Naval Armament, Progress in, 431.
Negro, The Future of the, 78.
Palace, The, of the Kings of Tiryns, 517.
PASHA, HOBART. Progress in Naval Armament, 431.
Philosophy, The, of Conversion, 324.
PITMAN, ROBERT C. Juries and Jurymen, 1; Woman as a Political Factor, 405.
Poetry, Friendship in Ancient, 453; Friendship in English, 580.
Political Factor, Woman as a, 405.
Politics, Moral Character in, 301.
Popular Government, The Basis of, 199.
Private Vengeance, 67.
PROCTOR, RICHARD A. The Origin of Comets, 109.
Prohibition and Persuasion, 179.
Railway Management, Notes on, 531.
Rascals, Are We a Nation of? 127.
Restriction of the Suffrage, 492.
ROACH, JOHN. Benefits of the Tariff System, 372.
Roguery, Responsibility for State, 563.
ROMANES, GEORGE J. Man and Brute, 145.
RYLANCE, J. H. Inspiration and Infallibility, 224.
SARGENT, J. B. Evils of the Tariff System, 288.
SCHLIEMANN, HENRY. The Palace of the Kings of Tiryns, 517.
Schools, Half-time in, 443.
SCRUGGS, WILLIAM L. Restriction of the Suffrage, 492.
SEELYE, JULIUS H. Moral Character in Politics, 301.
SHAIRP, J. C. Friendship in Ancient Poetry, 453; Friendship in English Poetry, 580.
SHEARMAN, THOMAS G. Evils of the Tariff System, 282.
SHEPHERD, RICHARD HERNE. The Genesis of Tennyson's Maud, 356.
SLEEMAN, C. The Development of Machine Guns, 362.
SPALDING, J. L. The Basis of Popular Government, 199.
Spencer's, Herbert, Latest Critic, 472.
STANTON, ELIZABETH CADY. The Need of Liberal Divorce Laws, 234.
State Roguery, Responsibility for, 563.
Suffrage, Restriction of the, 492.
SUMNER, W. G. Evils of the Tariff System, 293.
Tariff System, Evils of the, 274; Benefits of the, 372.
Telegraphy, Government, 51.
Tennyson's Maud, The Genesis of, 356.
THOMPSON, ROBERT ELLIS. Benefits of the Tariff System, 391.
Tiryns, The Palace of the Kings of, 517.
VANCE, Z. B. The Future of the Negro, 86.
Vengeance, Private, 67.
WALWORTH, J. H. The Future of the Negro, 96.
WARNER, CHARLES DUDLEY. The Demand of the Industrial Spirit, 209.
WELLS, DAVID A. Evils of the Tariff System, 274.
WINCHELL, ALEXANDER. Our Remote Ancestry, 246.
Woman as a Political Factor, 405.
Yellow Fever, The Origin of, 335.
YOUMANS, E. L. Herbert Spencer's Latest Critic, 472.



G. M. D.

A Medley, a Mystery, a Marvel, and a Miracle.

The Story of a Dream.

"GET money honestly if you can, but get money," was a foolish father's advice to his son. Get money, if you can honestly, makes but a slight alteration in the order of the words, but varies the sentiment considerably. There is no harm in making money. It answereth all things. Used rightly, it is a power for good, and there is money enough in the world to form a lever by which the mass of humanity could be lifted, to a certain extent, out of its depths of sorrow and despair. Money we must have, for money makes the mare go. Some can make money who have no faculty for saving. Would you save, you must know how to deny those who would borrow and never repay, as well as those who beg simply because they are too lazy to work. There are men who never want to see you except to ask the favor of a loan. They will ask for just one word with you, and that one word is sure to be *money*. An impecunious fellow met a rich acquaintance, and not liking to ask directly for a loan, said, "Friend Smith, if you had ten dollars in your pocket, and I was to ask you for the loan of five, how many would remain in your pocket?" "Ten dollars, to be sure," replied the rich man, without a moment's hesitation. He had gumption, and knew too much to part with his money by any such rule of subtraction.

OI see, said the impecunious man, thus rebuffed. He was able to owe. He was one of the Micawber sort—always waiting for something to turn up. How like some people who are sick. They think to get well by letting disease take care of itself. But diseases do not heal themselves, and too late their victims full often find this out to their sorrow, as death seizes upon them. Had they been wise in time they might have added many years to their lease of life. The cure was nigh them, as it is nigh to all who read this medley. These paragraphs tell the story, as a patient perusal will prove. Those who have keen insight, and can read between the lines, may solve the conundrum the sooner for it, but upon all light will dawn ere they read the final word of our story.

LIGHT will dawn, we said, and so it will, light of hope and help. Light is what a certain individual wanted. Mr. Jones, we will call him. He was very sick. Consumption had fastened its fangs upon him. He had long neglected catarrh, and laughed at the idea of taking anything for it when advised to do so, and so went from bad to worse. His lungs became diseased, a hacking, church-yard cough racked him almost to pieces, and he was fast wasting away. A mere shadow of his former self, he scarcely slept at all at night, or slept only to dream horrible dreams. Talk of nightmare! A whole circus troupe, horses and all, seemed to make his bed the arena of their wild performances. In this case money did not make the mare go, for he spent a deal of money on doctors and physics, and was nothing bettered. He ate little, and was fast going down to an untimely grave, leaving his wife a widow, and his four bright children orphans, when lo! on one eventful night he dreamed for once a bright and happy dream, which our next paragraph will relate.

DEATH, the black-visaged monster, had, until then, stared him in the face, but the dream brought him hope. He saw a bright, white-robed angel in his dream, who said, "I come to bring you good news. Here is your cure—sure, safe, harmless, prompt, and reliable. Get well and seek to take health thereby to others. Behold the cure!" With these words, the angel was gone, but ere the trail of light which followed him had vanished, the dreamer saw glittering in the light three golden letters—G. M. D. "What car it mean?" he said to himself, as he awoke from his slumber. "I have had a Good Many Dreams before, but never such as this." Startled and surprised, he aroused his wife, and to her related his vision. Alas! she could not solve the problem. Remembering all the medical advice, and the physic, and the expense involved since her husband became sick, she expressed the hope that the letters were not intended to suggest that a Good Many Doctors must yet be consulted in addition to all that had been interviewed. He groaned in reply, and remarked that if he had to consult any more there would have to be a Gold Mine Discovered in order to pay them.

EVERY day for a week he and his faithful spouse searched diligently for a key to the problem. In the dictionary, in such newspapers as they happened to have, in books, on placards on the walls—everywhere they sought—hoping to find a clue. Letters stand for words, and they hoped to light upon the words that should suggest the cure. They Grieved Many Days over their lack of good luck, as they said, and the Good Man Dreamed again and again, but saw no more angels. Hope deferred maketh the heart sick. "Oh, that the angel had Guided Me Definitely, and Given More Directions," he exclaimed again and again.

NEARLY two weeks had elapsed since the night of the Great Mysterious Dream, when there came to the house a pamphlet. Tired with his exhausting office-work, which he still pursued, determining if possible to die in the harness, Jones was about to throw the pamphlet in the fire, when something prompted him to examine it. Surely, thought he, here can be nothing that will *Pierce* this Gloom Most Distressing, or Give Me, Disheartened, any relief. Poor man, he had worked letters over in his mind, and made so many combinations with them, that they occurred in almost every sentence he uttered. They entered even into his prayers. Heaven Grant Me Deliverance, he would say, nor let disease Grind Me Down, and so forth, *ad infinitum*, and a mile or two beyond.

MENTALLY tortured, and suffering in every fiber of his body, what wonder that he read page after page of the pamphlet. It was a work on diseases, and in the morbid state of his mind its contents seemed to suit him. It spoke of almost every disease that flesh is heir to, but oh, joy! as he read, a Glimpse Most Delightful of light stole in upon him. "Eureka! Eureka!" he cried. "Wife, I have it, I have it."

EVERYBODY in the house heard him cry Eureka, and rushed to the room to hear what he had found. All expected to see some Great Miracle Done, and then came the explanation, simple, of course, but why had he not thought of it before? Oh, what a revelation! Here was hope for him and for all consumptives. Here, hope for suffering friends and neighbors. That night he scarce could sleep, but when he did, he again saw a bright vision of golden letters, in fact, a Glittering Monogram Deciphered readily, and reading G. M. D.; and again P. P. P., and yet

again F. P., and one huge P, around which these others were entwined, and then W. D. M. A. All the letters blended, yet each was distinct. All he had seen in the book, all he again saw in his vision.

DREAM Most Glorious. D. M. G.—G. M. D.—Again he rang the changes; backward, forward, every way. Gold Medal Deserved. M. G. D.—Misery's Great Deliverer,—till time would fail to tell them all. P. P. P. stood for Perfect Peace Promised for sufferers, and sweet release from Prostrating Purgatorial Pains. And again, F. P. was Freedom Promised, and backward, P. F., it became Pain Flees. Now he could get well, and once well, he would be a missionary, a Glad Missionary Devoted to the work of telling others how they might get deliverance. He went through the list of diseases among those of his own acquaintance, from John Robinson, whose torpid liver gave him constant headache and severe bilious attacks, on through the list of those suffering from ulcers, coughs, weak and diseased lungs, to his friend, General B——, who was as near the grave as he. And for all these, as well as for himself, the Grave May Disappear from present vision, and each may be Given More Decades of life than they had hoped to have years. Against the milder cases he marked P. P. P. Against the serious cases he marked G. M. D., not the Grizzly Monster Death, which he so long had dreaded, but something—oh, so much better, as we shall presently see.

IN a short while our hero was well, and went everywhere among his friends and neighbors, telling of his good fortune, and showing the sick and the suffering how they might be healed. Some laughed and continued to suffer, refusing to be healed. More were wise, took his counsel, and proved his vision of the night as he had done.

"A vision less beguiling far
Than waking dreams by daylight are."

CAN anything be more delightful than health after sickness? To be a well man, to feel pure blood coursing through your veins, to know that lungs, liver, kidneys, and all the Grand Machinery Does its duty perfectly in one's body; to carry health's ruddy mark on the cheeks. Ah, this is Good Most Decidedly. This was our hero's case, and thousands can tell the same story. The good angel has come to them. They have seen the letters Gleam Most Distinctly before their eyes, and Going Most Definitely to work in pursuing the instructions given, they have recovered that great blessing—Health. G. M. D. has been to them a channel of good, Good Mysteriously Done, and they have bid their sick friends do what all the sick should do, namely, put themselves in communication with the W. D. M. A., Which Done Most Assuredly will put them in the Way Desired Most Anxiously.

ALAS, that human nature is so slow to believe—alas, that men and women are bowed down with the burden of complaints, of which they might be rid,—consumption, bronchitis, dyspepsia, heart disease, kidney disease, malarial complaints, scrofulous diseases, skin diseases, tumors, ulcers, and many more. It would seem as though some ill deity had given every letter of the alphabet as many diseases as it could possibly desire, thus forming an alphabet of sorrow, suffering, and woe. Happy they who, the Great Mystery Discerning, have escaped the clutches of sad diseases.

LOOKING back upon his past experience, Mr. Jones feels Grateful Most Decidedly, and continues telling the old story of his sickness, his vision, and his restoration to health; for all the sick are not well yet. But he has had the pleasure of seeing, as he says, Good Miraculously Done to hundreds upon his personal recommendation.

DEAR reader, bear with us awhile, if light has not yet dawned on your mind. The mystery will soon be revealed. If the key be not on your *right* hand, it is at least on your *left*, in letters clear as daylight. A Good Many Delighted have discovered it, and opened the portal to a long life and a useful one.

INITIALS of words that stand for all that is sorrowful and sad, letters, the self-same letters, are often initials of words that breathe of hope and benediction.

SEARCH but awhile, and you will find the boon, the blessing, and the benefit. The mystery of the three P's, of the F. P., of the G. M. D., and of the W. D. M. A., Will Dawn Most Auspiciously upon you.

COLUMBUS discovered America, and won high honor and immortal fame, and they who have learned the secrets of the wonder before your eyes, good reader, Give Most Delightful testimonials of their gratitude.

OF all sad words of tongue and pen, the saddest are these—it might have been—so sayeth the poet. When we think of the myriads that might have been saved from untimely graves had they seen Mr. Jones's vision, and sought his way to health, we feel sad. Yet we cannot but rejoice at the Great Many Delivered from death's door by G. M. D., and that Pain's Positive Persecution has been escaped again and again by P. P. P.

VIRTUES unnumbered serve to make G. M. D. the Greatest Mercy Deigned by favoring providences for the relief of sufferers, and its discoverer feels P. P. P.—Perfectly Pardonable Pride—in telling of the Growing Multitude Delivered from the Grasp Most Dreadful of Greedy, Mournful Death.

EVERY sick person is interested in the theme before us, and every well person, too, for who does not know some one who is sick and needs, therefore, the good news of health that is Given Many Daily.

READER, mystified reader, we will detain you no longer. Perhaps you have Guessed Most Deftly the hidden meaning. P. P. P., you know, stands for Pleasant Purgative Pellets, curing constipation, torpidity of the liver, headache, and many other complaints. F. P., of course, is Dr. Pierce's Favorite Prescription, that has proved such a P. F., Prime Favorite and Precious Friend, to ladies; safe, easy to take, working like a charm—curing the peculiar weaknesses incident to their sex. The letters W. D. M. A. stand for the World's Dispensary Medical Association, at Buffalo, N. Y., with its imposing structures, its army of medical men, specialists all of them, and its president, Dr. R. V. Pierce (the large and central P. of Mr. Jones's second vision), all at the service of the sick and suffering everywhere; while G. M. D. is—well, read the initials of the paragraphs of this article, and you will see that G. M. D. is Golden Medical Discovery, the boon of the diseased. This wonderful medicine cures all humors, from the worst scrofula to a common blotch, pimple, or eruption. Erysipelas, salt-rheum, fever-sores, scaly or rough skin, in short, all diseases caused by bad blood, are conquered by this powerful, purifying, and invigorating medicine. Great eating ulcers rapidly heal under its benign influences. Especially has it manifested its potency in curing tetter, boils, carbuncles, scrofulous sores and swellings, white swellings, goitre or thick neck, and enlarged glands. Consumption, which is scrofulous disease of the lungs, is promptly and positively arrested and cured by this sovereign and God-given remedy, if taken before the last stages are reached. For weak lungs, spitting of blood, consumptive night-sweats, and kindred affections, it is a sovereign remedy. For indigestion, dyspepsia, and torpid liver, or "biliousness," Golden Medical Discovery has no equal, as it effects perfect and radical cures.

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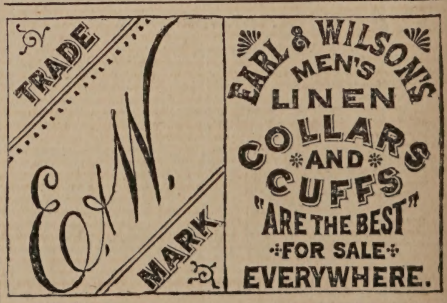

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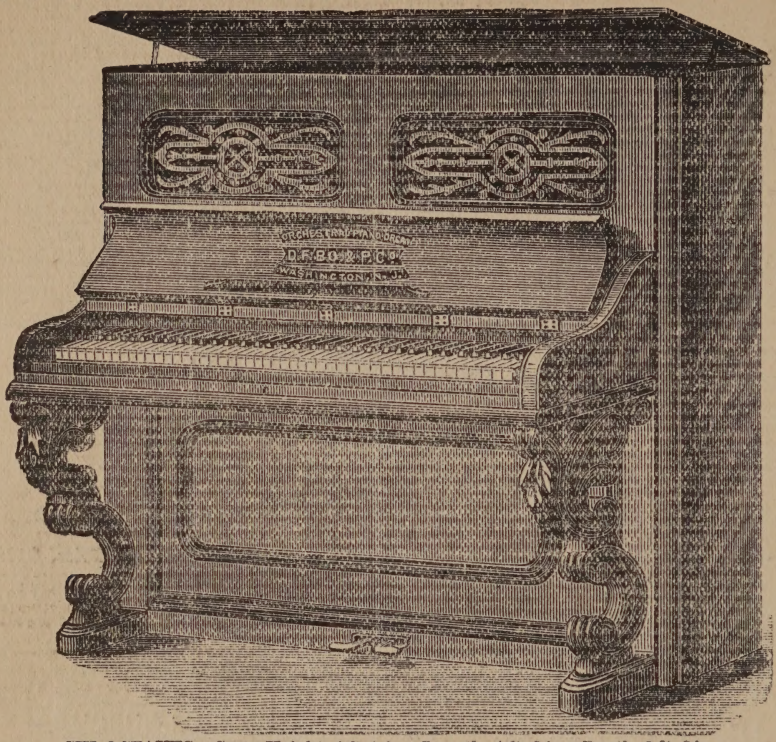

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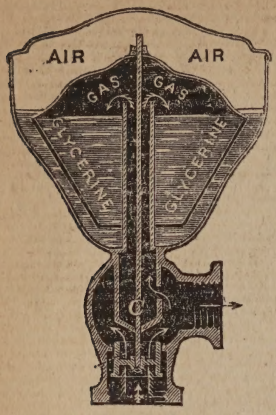

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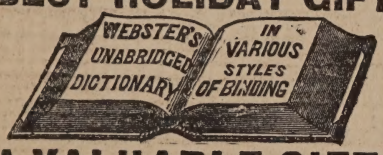

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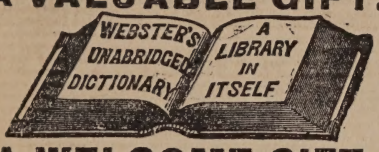

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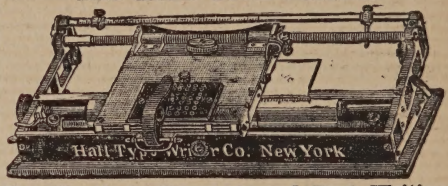

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